

HERESY IN ENGLAND C 1520 - 1558

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ABSTRACT

This thesis aims to provide a general overview of the crime of heresy in England from about the year 1520 until the death of Mary I in 1558. It begins by examining some of the problems inherent in heresy, chiefly its definition and identification, which had special relevance during the fluctuating religious climate of the period in question. It then examines other concepts, namely the need for order, unity and obedience, that profoundly affected the very definition of heresy and the way in which it was viewed as an offence, which in turn led to the adoption of one particular method of addressing and resolving the situation, the policy of persecution. The remaining chapters look at the legal structure that was implemented as a result of these earlier considerations, and finally, examines some of the major heresy cases of the period which illustrate the extent to which the religious offence of heresy could be linked to, and altered by, the political climate and considerations of the day.

PREFACE

A brief perusal of the contents pages of John Foxe's Acts and Monuments will illustrate more fully the extent and enormity of the issue of heresy during this period than is possible here. Heresy during this time was a grave and complex problem, not an issue that required attention because of its nuisance value, but an area of concern that demanded rectification because its perceived results touched the entire realm, and continued to affect people long after their deaths. Heresy was, quite simply, a matter of life or death: of the spiritual health and survival of those in contact with it; of political survival, given that heresy was considered to be the virtual mother of sedition; and of national survival, of the prosperity and security that would be left weakened and vulnerable by the threat heresy posed.

It is almost impossible to over-emphasise the seriousness with which heresy was viewed in light of these consequences. As will be discussed in chapter two, heresy was intimately entwined with the issues of order, unity and obedience, and governments down through the ages have been well aware that prolonged disobedience, disunity and disorder among the populace sounded a death-knell for the power and survival of that regime. Thus heresy was deemed worthy of strict measures in order to control the problem and ultimately eradicate it. Herein, however, lay some of

the problems which I hope to address in the course of this work.

Firstly, how does one identify "heresy"? What is it, and what distinguishes it from the normal process of progress and reform that all religious systems undergo from time to time? Secondly, once this has been determined, how does one go about limiting its spread, curtailing the activities of those engaged in its spread, persuading them to believe otherwise, and generally reverting the realm to sincerely believing as it is deemed they shall sincerely believe? Controlling outward activities - the trade in illegal literature, unlicensed preaching, public discussion on forbidden subjects was one thing, but gaining the obedience and allegiance of the mind was another, infinitely harder task. Of necessity investigators into heresy were concerned more with the outward behaviour, rather than the inner beliefs, partly because of the difficulty of governing the latter, but also because outward actions were supposed to be an accurate reflection of the thoughts and beliefs they stemmed from. To rectify the behaviour would thus correct the belief.

However, even the means of curtailing and controlling outward signs of heresy was no simple task. If the consensus was to persecute heresy and its believers, exactly how was this to be accomplished? How did one stem the prolific trade in heretical books with the Continent? How far did one go in the legal apprehension and punishment of offenders? These questions had been answered to a

limited extent in the previous century with regards to Lollardy, but the peculiarities of the period in question complicated the definition and treatment of heresy immeasurably. When many of the Church's traditions and customs were being altered under the Reformation (thereby inevitably casting doubt upon the interpretation and validity of certain doctrines) how did one continue to correctly define heresy? Also when many heretical publications and opinions were being absorbed from the Continent, how was this to be dealt with when the source lay totally outside the legal jurisdiction of the realm? Yet how could the realm be protected from such influence and contact?

As can be seen the issue of heresy was thus fraught with problems and difficulties. These were compounded from the Reformation onwards by the fact that Protestants, especially, while deemed to be heretics, did not perceive themselves to be anything other than orthodox Christians. Thus there developed the incredible situation under Mary where two opposing orthodoxies regarded each other as unorthodox, and clashed head-on when the restored legitimate religion of Mary attempted to eradicate the deposed legitimate religion of Edward VI.

Again, the central problem in the resulting tragic confusion was the definition of heresy, something on which universal consensus was never achieved. A thief was clearly a thief; likewise a murderer was easily recognizable as such, and there was little argument over

what was required to make a person such a criminal. But to be a heretic, what exactly was one required to do, or believe, or not as the case may be? In the following chapters I hope to outline and discuss the central problems mentioned here, and to likewise illustrate how they were dealt with in this period, beginning with the central question from which all others descend: this problem of "heresy".

N.B. All Biblical quotations are taken from the King James version.

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CHAPTER 1

THIS PROBLEM OF "HERESY"

This opening chapter seeks to explore the central difficulty of heresy in this period (c1520-1558): its definition. It aims to suggest the means by which heresy was identified amid the shifting theological sands of the period, and address other events and occurrences of the time that further complicated heresy's definition and identification.

The central problem regarding heresy during this period lay in its very definition; in outlining and establishing exactly what constituted heresy. Establishing orthodoxy did not always automatically determine what heresy amounted to, as was demonstrated in the mid-1530's when legislation under Henry VIII outlined what heresy was not, but not what heresy was.¹ Thus the entire area could easily become shrouded in confusion, and while it was rare for the fundamental doctrines of Christianity to be questioned, or for high-ranking clerics to re-define or oppose key church doctrines, the ambiguity that often existed concerning many minor points of belief or practice could easily result in offenses being committed inadvertently.

¹ Statutes of the Realm Vol.III. 25 Hen VIII c 14.

The wording of statutes and proclamations often gave a very vague definition of heresy. The terms used in such laws against heresy were those like: seditious, erroneous, naughty, dangerous, a pestilence, perilous etc, the list is long and damning. Nevertheless, these terms in no way indicated exactly which teachings, beliefs or practices were heretical, or in what way. They were deemed heretical because of the expected resulting effects, that is a strong tendency to cause division and hostility between people throughout the realm, thereby disturbing the peace, destroying unity and harmony throughout the country, and resulting in the general breakdown of good society. No specific belief or practice would necessarily or inevitably lead to such dissension, thus acts were targeted only at those that did, or that had proven to be divisive abroad.

Therefore possibly the likeliest definition of heresy in these times, although no more specific than any other, was any teaching, belief or practice of a religious nature, or touching matters of religion, that once expressed, or expounded upon openly, led to division between men, caused dissension, and proved offensive, thus in some way threatening social order and the common welfare of the realm. This explains the overriding belief during the sixteenth century that heresy was violent and strongly linked to riots and rebellion, and actively incited them. It also accounts for the zeal with which offenses against the fundamental doctrines (such as the Real Presence) were dealt with. Aside from the fact that such offenses

undermined the Church's authority, these offenses were also the most likely to lead to hostility.

Before the Reformation heresy could also be very loosely defined as any teaching that was contrary to the articles of faith or doctrines of the Roman Church, especially those regarding the sacraments, the adoration of images and pilgrimages.² Those convicted of such offenses were ordered to recant their errors and perform suitable penance, and failure to do so resulted in execution, as did a second offence. In addition failure to participate in the obligatory rites and observances of the church would often result in suspicion of heresy, a tendency which resulted in many charges of heresy against people who were oblivious to their inadvertent offending. If cleared of such charges stiff fines or a severe penance was often imposed and the majority of those convicted in this manner were poor, uneducated people.

The laws governing heresy prosecutions maintained both the anonymity of accusers and witnesses, and a 'guilty until proven innocent' attitude, thus it was all too easy for a person to be maliciously or accidentally accused of heresy. In addition, there was a good deal of common non-conformity around, especially regarding customs or church practices, but such behaviour did not in itself constitute or indicate heretical beliefs, something that was not often

² Houlbrooke, Church Courts and the People during the English Reformation 1520-1570, (Oxford University Press, 1979), p.214.

recognized. The real cause may have lain more in indifference to Church doctrine or custom, rather than hostility towards it or disbelief in it.

Inextricably linked to the definition of heresy is the definition of orthodoxy. To define heresy as a doctrine, belief or practice that somehow varies from or is at odds with that defined by authority as correct, or truthful, or in accordance with that which is perceived or interpreted as such, may be a fair definition, but given other areas with which heresy was closely connected, such a definition is also too imprecise. The nature of orthodoxy in itself changed too frequently in very subtle ways (often under the guise of 'reform' or removing 'superstition') for heresy to be defined as embodying merely what orthodoxy rejected. Heresy was an immense threat, but its power to attract hatred and fear lay in more than an overriding inability or unwillingness to understand or accept an alternative opinion. A common theme that was of immense importance was unity, and that all believers should be united in the same doctrines with no disruptions or dissensions.³ This was as important for political as well as religious harmony, and thus there was a strong tendency for religious beliefs to have distinctly political overtones.

All this is complicated by the fact that there is no set of doctrines, beliefs or practices that completely unites all Christendom. Orthodoxy is not the same as

³ Christie-Murray, A History of Heresy, (Oxford University Press, 1989), p.1.

Christian truth, or even as revealed, perceived or interpreted truth.⁴ Cultural traditions cause dissension across regions and countries, and vary within them. Likewise the Bible also varies in interpretation according to translation, and the mind and understanding of the reader. Its quotations can be used to support or condemn almost every conceivable opinion or circumstance.⁵ Thus absolute and perpetual unity and conformity of interpretation, understanding, belief and practice is virtually impossible to achieve. Even so, despite the variation between 'orthodoxies', there was considered to be an ultimate orthodoxy, one that always existed, even if only, as Plato put it, "in the mind of God".⁶ There had to be a common ground of Christian belief on earth that reflected this, a mark against which all other beliefs were measured, a standard by which one was judged believer or unbeliever. Although the mark of orthodoxy may shift during religious reform, it could never be removed entirely - thus the two executions for heresy under Edward VI despite all laws against heresy having been repealed in 1547.

As mentioned, heresy was very closely linked with politics, and its definition could easily be swayed or altered according to political circumstance. A case in

⁴ Ibid., p.2.

⁵ Ibid., p.4.

⁶ Ibid., p.2.

point occurred in February 1530 concerning the question of the King's divorce.⁷ The theologians of Cambridge University had been requested to expound upon the matter and Gardiner had managed (with the greatest of difficulty) to obtain the verdict that if the marriage between Catherine of Aragon and the late Prince Arthur had indeed been consummated (as Henry VIII alleged), then the Pope had no power or authority according to God's laws to grant a dispensation authorizing the marriage between Catherine and King Henry VIII. Questioning the papal power of dispensation was considered a cardinal heresy, and had been the first step taken by Martin Luther on the road to excommunication.⁸ Nobody accused the learned man of Cambridge of heresy in this instance however, the King obtaining his way with a combination of flattery, the hope of advancement, and concealed threat. If the King's wrath was not mightier than God's it was certainly more imminent. Denouncing the validity of papal dispensation was not a step to be taken either lightly or frequently though. The Pope's power had certainly been abused, but to challenge its very validity undermined his entire authority over the Church. This in turn disrupted the unity of Catholic Christendom, subverted religious discipline and authority,

⁷ Ridley, Nicholas Ridley, (Longman Green and Co., 1957), p.44.

⁸ Ibid., p.48.

and would ultimately lead to anarchy and the vilest of heresy.⁹

Within a few years Henry would have adopted much of the Pope's traditional authority in ecclesiastical matters, the formal statement of which would be the 1534 Act of Supremacy.¹⁰ This act would give the monarch wide-ranging powers where domination of ecclesiastical and clerical matters were concerned, and an authority that previously had been possessed and exercised by the Pope alone. The fully-fledged royal supremacy comprised three closely connected principles: that the King had direct, God-given cure over the souls of his subjects; that he was the overlord of the clergy of the national church; and that he owed no obedience to the Pope.¹¹

The steady acquisition of this new authority by Henry had not gone without some strong opposition. The title of Supreme Head of the English Church caused dissent, especially in the North. The Northern Convocation and Tunstal, Bishop of Durham, protested formally to Henry in May 1531 regarding this new tendency to claim papal authority as the King's own. Tunstal outlined the traditional theory that the King possessed only temporal overlordship, and that this was clearly acknowledged by the Church. This could not, and did not, extend to spiritual

⁹ Ibid., p.49.

¹⁰ Statutes of the Realm Vol.III. 25 Hen VIII c 1.

¹¹ Scarisbrick, Henry VIII, (Penguin Books, 1971), p.375.

matters, and such a title as 'supreme head' could only be used in a temporal sense.¹² There could not be more than one 'supreme head' under Christ, as this would only destroy the unity of Christendom, a unity that was already taking a severe battering on the Continent. In his reply the King protested that he had been misunderstood, and that this title only meant head of the clergy in England, and head of the English Church. The supreme head of the entire Church was Christ, and this was not, nor ever would be, disputed.¹³ To Henry his princely authority consisted of the right to license and assent to the election of bishops and abbots, the right to subject all clerical goods to the prince's occasion and order; and the power to ensure Christian courts operated under royal sufferance and through delegated jurisdiction.¹⁴ Thus the articles of the Act gave him clear authority to do so if he chose, something Tunstal was well aware of. If the King was head of the Church in England, then it was the King (guided by the Holy Spirit or not) who had the power to define the particular doctrines or beliefs of that Church. This power was further reinforced after the submission of the clergy on 15 May 1533, when they surrendered their right to pass legislation independent of the King-in-parliament. That this option of defining orthodoxy and heresy was open to the King was also

¹² Scarisbrick, Henry VIII, p.361.

¹³ Ibid., p.364.

¹⁴ Ibid., p.365.

reinforced at the trial of John Frith, also in 1533, at which Henry declared that Frith's denial of papal authority was not heresy (as it would have been a few years earlier) but truth, and therefore orthodoxy. Henry's title of Supreme Head thus had vital implications regarding the definition of heresy and gave the monarch increased powers in this area.

While the King was never to explicitly claim sweeping ecclesiastical powers over doctrinal matters as part of 'supreme head' of the English Church, the potential for him to do so was certainly evident, and some were of the opinion that the King should possess such authority, for if heresy was to be defined by a lawful authority, which lawful authority should have that power? In his 1535 Answer to a Letter Christopher St German posed this crucial question of "Who hath power to declare and expound Scriptures?" or just where did the right to determine orthodoxy and heresy lie?¹⁵ It was but a short step from determining what may be believed to commanding what must be believed. St. German argued that it was for the Church Catholic of England to declare the truth regarding faith for itself, the only possible head of which could be the King or some other legal representative. It was for the King to determine it a theological dispute or variance precisely what orthodoxy or 'truth' was. The clergy could not be trusted with such a task, they were too heavily

¹⁵ Allen, A History of Political Thought in the Sixteenth Century, (2nd ed. Methuen & Co. Ltd., 1941), p.166.

biased (evidently the King was above such human fallibilities) and the faults of their having done so previously were all too clear. St. German stated that in England the representative of the Church was the King and his people, that is the King in Parliament who possessed authority over the Church and represented the entire Church Catholic of England.

The advent of royal supremacy over the Church in England was merely one manifestation of the prevailing belief that the Church in England was in urgent need of some kind of reform or general overhaul. Another manifestation of the perceived staleness of the Church was the increase in instances of heresy and the ease with which Continental heresies (most notably Lutheranism) were absorbed into England. The motives behind those who embraced forbidden opinions were seldom malicious - they did not seek the destruction of the Church, but more its revitalization and renewal. An alternative reason, but with the same overall intent, was an attempt to return to a real or imagined early ideal, to the purer, less traditional state that the early Christian Church was believed to have existed in.¹⁶ It could also be seen as a rejection in part of complex theological doctrines and practices that were simply no longer believable to worshippers. The declining belief in transubstantiation being an obvious example. This increase in heresy

¹⁶ Christie-Murray, A History of Heresy, p.10.

complicated the very definition of heresy. Here was yet another manifestation of Christianity that had to be dealt with because it questioned and undermined the traditional authority of the later medieval Church. In addition this particular heresy, by modelling itself on an earlier, purer state of the Church, and by labelling some Church traditions as 'superstitious', effectively labelled Catholicism as heretical because it was Catholicism that had broken away from the earlier, true, Church.

The Church also contained opposing tendencies that often viewed each other as heretical in belief or practice. This can be most clearly illustrated by the main emphasis of worship of the two main arms of Christianity, the Roman and Orthodox Churches. For the Roman Church religion was needed for practical living, whereas for the Eastern Orthodox the greatest emphasis was on revealing the nature of God. In the former this could lead to relying on human effort at the expense of the grace of God; and in the latter to the striving for a mystical relationship with a supreme being that neglected the practical care of people. Between these two different outlooks the importance of individual development, responsibility and conscience was often pitted against the unquestioning acceptance of the collective authority of the Church.¹⁷ It was differences such as these in the English situation that left both sides

¹⁷ Ibid., p.11.

accusing each other of breaking away from the true Christianity.

For the reformers (or heretics, according to the more conservative branch) the visible Church was no longer the infallible custodian of truth, but was itself a battlefield between the children of light and the children of darkness, as was the rest of the world.¹⁸ The Church of Rome had lapsed from the stature and standards of the early Church in the time of the apostles. This justified repudiation of their authority according to the likes of Wycliffe and Huss, who claimed that they were the true and faithful Church. They emphasised this claim by abandoning the traditions of Catholicism and emphasising the Scriptures as the ultimate authority on earth, and employing a far simplified form of worship.¹⁹ Their vision saw them as not creating a new Church but as renewing and reaffirming the ancient and initial one. The English Church, they argued, owed nothing to Rome, the apostolic succession notwithstanding. They viewed the Roman See as an anti-Christ against which the English as a chosen people under the leadership of godly princes, must struggle.²⁰

During the reign of Edward VI this 'heresy' became the established orthodoxy of the realm. The Mass, the most sacred rite of Catholicism, was denounced as superstitious,

¹⁸ Loades, The Oxford Martyrs, (Stein & Day, 1970), p.22.

¹⁹ Ibid., p.23.

²⁰ Ibid., p.27.

blasphemous and idolatrous. Under this ritual worshippers were ensnared by the power of wicked priests who demanded money for their 'magic'. The Protestants linked the doctrine of transubstantiation and that of the 'sacrifice of the Mass' to a fresh killing of Christ at each performance, an act that thereby denied the atoning death of Christ for the sins of the world. In addition Catholics committed idolatry by worshipping the bread and wine instead of the true, invisible Father through his one, eternal living Son.²¹ Beliefs such as these, for which a few short years earlier one would have been rewarded with a remarkably quick trip to the local stake, were embodied in the First Book of Common Prayer of 1549. The Primate of England now proposed that the denial of transubstantiation was correct and that priests should abandon the old service for one which embodied this "new" belief. In addition the entire service was to be in the vernacular and the elevation of the Host was forbidden as idolatrous.²² The Catholics viewed this new-fangled interpretation with equal derision. To them the 'Lord's Supper' was merely a pathetic memorial to an absent, distant Saviour. It did not convey God's grace in the blessed sacrament nor did it plead to the Father as did Calvary's propitiatory sacrifice.²³

²¹ Edwards, Christian England Vol.II, (Fount Paperbacks, 1989), p.26.

²² Ibid., p.155.

²³ Ibid., p.27.

Departure from orthodox or traditional practice and doctrine was closely intertwined, as the practice continually reinforced the validity of the doctrine. Those who failed to perform the usual religious observances in the accepted manner could as easily find themselves suspected of heresy as those who had expounded novel opinions regarding the Mass in the local tavern, or mocked the worth of pilgrimage to a certain shrine.

The Church contained an overall 'constitution' - a particular form of worship, a characteristic attitude to life, an allegiance to a unique system of ethics - rebellion against any part of which could see one facing severe charges. After all, it had been Luther's attack on the sale of indulgences that had so severely undermined the entire doctrine of purgatory. Likewise opposition to or rejection of ritual aids and ceremonies challenged the doctrines behind them, and to a Church that held unquestioning acceptance of its authority on such matters as vital, this was serious indeed.²⁴ Many mundane cases from church courts could lead to heresy charges because of general non-conformity. Failure to comply with the compulsory Easter observances could lead to charges of heresy, as could general absenteeism - the most common offence. The overall attitude appeared to be that there could be no symptom without a cause. Absenteeism or failure to communicate could easily be taken as evidence of

²⁴Christie-Murray, A History of Heresy, p.8.

insufficient belief in the redeeming grace of God received through the Mass, and thereby a denial of the Real Presence. While there may be a very valid excuse for failure to participate in common worship, once suspicion had been aroused it was difficult to dispel. Impiety was but a short step to heresy. In 1526 William Smith of Gravesend was charged with being a Lollard because he had failed to keep the Lenten fast and had also neglected to communicate. Smith claimed he had no money to pay for the oblation, a claim which was rejected by Bishop Fisher, and he was imprisoned for a time, ordered to perform penance at his parish church and instructed to fast on bread and water at Whitsuntide.²⁵ It was a simple fact, albeit distressing to clergymen, that many folk preferred to work, fish and sleep etc. than attend a service conducted in an unintelligible language.

A further aspect of non-conformist behaviour was the formidable anti-clericalism that was to be found throughout England. In the first quarter of the century in particular this was strongly linked to the native heresy of Lollardy, whose main characteristics were hostility towards the sacrament of the altar or church doctrines concerning it, a dislike of images and a reluctance to attribute special powers to priests, especially regarding absolution.²⁶ There

²⁵ Davis, Heresy and Reformation in the South-east of England, 1520-1559, (Royal Historical Society, 1983), pp.7-8.

²⁶ Houlbrooke, Church Courts and the People, p.225.

was a general grudge by laymen against priestly power in all its forms, from the miracle of transubstantiation from which clerical privilege derived, to hostility towards the tyranny of church courts, the lucrative exploitation of purgatory and pardons, and finally to the universal and incessant bone of contention - the tithes.²⁷ Thus the net of heresy could contain a wide variety of deviations from the established and traditional 'orthodoxy'. Few cases would have arisen out of the malicious or deliberate intention of the offender and many convicted of minor charges would have otherwise considered themselves orthodox. But there was almost no distinction whatsoever between the various manifestations of anti-clericalism, non-conformity, personal laziness and indifference, and outright heresy. Orthodoxy demanded participation, allegiance and uncritical obedience. To falter in any area aroused suspicion as to the sincerity of the person's faith.

A vital battle between orthodoxy and heresy was fought on the vital question of ultimate authority, and in this the opposing sides were drawn thus: the infallible Church versus the infallible Book. Orthodoxy and Catholicism upheld that the Church constituted the supreme authority appointed by God. Its infallibility regarding doctrinal matters resided in its being the "body" in which God in

²⁷ Dickens, "Heresy and the Origins of English Protestantism", from Britain and the Netherlands Vol.II (eds Bromley and Kassman; J.B. Wolters, 1964), p.61.

Christ revealed truth through the Holy Spirit. The authority of the Church was superior to all others under God. The Church had established the canon of Scripture and was its arbiter and interpreter; it was thus to the Church that the individual conscience must submit.²⁸ Thomas More, an ardent supporter of this orthodox view, argued that there was no reason in doubting the Church's authority regarding truths or traditions not contained in the Gospels, for without the Church there would be no knowledge of the Gospels at all. For example, More argued, how would Christians know of the perpetual virginity of Mary (about which nothing was contained in the Scriptures²⁹), or the authorship of the Gospel of John without the existence of the Church. Therefore believers should accept declarations and interpretations of revealed truth by the Church regarding the authority of certain doctrines and traditions.³⁰

More maintained that it was inconceivable that God would allow the Church to err in any matter that concerned belief or faith.³¹ All doctrines and traditions were based on Scripture and its correct interpretation, and it was

²⁸ Christie-Murray, A History of Heresy, p.7.

²⁹ More, Responsio ad Lutherum; The Complete Works of St. Thomas More, Vol.5, (Yale University Press, 1969), p.89.

³⁰ Ibid., p.91.

³¹ More, A Dialogue Concerning Heresies; The Complete Works of St. Thomas More, Vol.6, (Yale University Press, 1981), p.179.

impossible that the Church could be deceived on any point and thus take for Holy Scripture something that was not. God had given this guarantee of certainty to the Church so that it would always be able to discern the word of God from that of men and thus distinguish and preserve the truth.³² Regardless of the actual words used in Scripture, they could never be misinterpreted to mean the contrary of what the Church taught, for the continual assistance from the Trinity would always preserve the Church from errors in faith and grant it correct understanding of Scripture.³³ According to Matthew 28:20 Christ had commanded all believers to obey the Church. Matthew 28:20 "...observe all things whatsoever I have commanded you:, lo, I am with you alway, even unto the end of the world...." Thus it simply could not eventuate that the Church may hinder true faith and eventual salvation by misinterpreting Scripture. If God willed people to believe, on pain of loss of heaven, then the Church simply had to have the correct interpretation and understanding of God's will and Scripture. The consequences for erring on this point were just too dreadful to consider. Therefore belief in saints, relics and images was not wrong, and miracles wrought at holy places were performed by God, not the devil. In addition there was no text that forbade something which the Church believed may be legitimately done. Instead of

³² Ibid., p.181.

³³ Ibid., p.182.

believing the texts that forbade such practices as idolatry,³⁴ those of true faith must believe the interpretation of the Church and holy doctors. To doubt this was merely evidence of a faulty faith, rather than of faulty scriptural interpretation.

Critics of this view, by contrast accorded the Scriptures themselves, rather than the dubious interpretation of them, with the ultimate authority. The Bible was the word of God and the final court of appeal by which even the Church itself must be judged. Any doctrine not found within its pages was not binding on a believer, and salvation or damnation would not be imposed according to such unsubstantiated beliefs. Biblical authority was greater than the Church's because if one wanted to learn truth, all that was required was to read the Bible as it contained all things necessary for salvation.³⁵ If the Church did not exist the faithful could still gain instruction and ultimate salvation from the Bible, but the same could not be said for the century. The correct interpretation of the Scriptures was deemed to be self-evident, thus the supreme and decisive authority.³⁶

A nagging worry concerning departure from orthodoxy was the question: what if the heretics were in fact the

³⁴ Ibid., p.120.

³⁵ Christie-Murray, A History of Heresy, p.7.

³⁶ More, Responsio ad Lutherum, p.732.

true Church?³⁷ More argued that this could not be so because God had ordered the Church to preach exhorting good living, as in faith combined with good works, something dissenters from orthodoxy considered unnecessary for salvation. In addition Christ had commanded that the sacraments be administered³⁸ in the Church by its priests, thus there must be priests and bishops in the true Church, something that the heretical groups did not have. The Church must comprise a known group of Christian men to spread the Gospel throughout the world as Christ commanded, but the heretical sects were secret and hidden, scattered about and often unknown to each other.³⁹ Heresy was, More argued, the withered, sick, barren branch of the true Church. It was the portion that falls from the body or is cut off and cast away for fear of further poisoning the rest⁴⁰. He drew a comparison between the current situation of heresy affecting an otherwise strong and healthy Church, and the severe measures necessary to purge the disease, with the parable of the good gardener (Christ) and the necessary destruction of the branches that bear no fruit in John 15, for a dead member is but a hindrance to the overall body. John 15:2 "Every branch in me that beareth not fruit he taketh away...." The heretical sects had not

³⁷ More, A Dialogue Concerning Heresies, p.199.

³⁸ Ibid., p.200.

³⁹ Ibid., p.201.

⁴⁰ Ibid., p.194.

existed before the advent of the Church, they had come out of that Church and therefore could not in themselves be anything other than false and heretical.⁴¹ John 15:4 "Abide in me, and I in you. As the branch cannot bear fruit of itself, except it abide in the vine; no more can ye, except ye abide in me."

Unity, the general consensus of all members, the uniformity of belief and practice, was a central part of Christianity. Devotion to Christianity and a devotion to unity were regarded as synonymous. This concept was stated clearly by Laud when he wrote, "...as the spirit of God is one, and cannot dissent from itself, no more aught they whom the spirit hath joined in one...therefore he that divides the unity of the Church practices against the unity of the spirit."⁴² Thus a heretic was such not only because he did not believe in transubstantiation, nor because he broke the Lenten fast and failed to communicate at Easter, nor even because he did not consider his parish priest had any special powers to absolve him of sin at confession, but because his actions or speech in some way broke the thread of unity among Christians in a single place, thus threatening that unity and its inherent strength in its entirety. Or, as Laud put it "...although a man hold all the articles of religion, and break the unity of the

⁴¹ Ibid., p.195.

⁴² Russell, "Arguments for Religious Unity in England, 1530-1650". (*J.E.H.* Vol.18, October, 1967. Editor C.W. Dugmore, Cambridge University Press), p.202.

church, yet he is not of the church."⁴³ If one was not of the Church because of belief or practice, therefore one was automatically out of the church; an unbeliever, a lost soul, a heretic. Any threat to the unity or stability of the Church was considered to be the result of malicious intent, rather than ignorance.

There was no room for flexibility in belief or practice; a believer was required to hold all the articles of religion, without exception. Any variation was liable to invite some forceful restoration of order. Persecution of religious heresy rests fundamentally upon the conviction that there is an ascertained body of religious truth which must be believed in its entirety in order to attain salvation.⁴⁴ As the Church was also the sole guardian of the Truth, any rebellion against the Church in any respect automatically translated as a rebellion against, and rejection of, the Truth. Any who strayed outside the saving uniformity and unity of the Church was doomed to eternal damnation, and eventually, for the good of all souls, persecution became necessary to stop the spread of this "plague".

Heresy was therefore, by definition, incompatible with a healthy society.⁴⁵ It was a grave disease that only developed in a society which was severely ill and in need

⁴³ Ibid., p.202.

⁴⁴ Jordan, The Development of Religious Toleration in England, (George Allen & Unwin Ltd, 1932), p.24.

⁴⁵ Ibid., p.25.

of strong medicine from a determined physician. Heresy was also a crime and a potential source of corruption for innumerable people. Although a crime could be performed, an illness could not be cured by being ignored; a soul could not be saved by being punished, but its removal may check the continued spread of infection, and provide an immunization against those potentially susceptible to the disease of heresy. As the role of the monarch in maintaining religious unity increased, so too did the gravity of the offence. If political expediency judged certain religious conduct as criminal or merely unacceptable, then the continuation of that conduct could also be interpreted as unpatriotic, even treasonous, and most certainly highly dangerous.

These tendencies were not dealt with either consistently or uniformly. The very definition of heresy altered throughout the three reigns of this period, and it was liable to cause utter confusion to inform an entire realm who had been taught until very recently that to doubt what were now labelled superstitious of practices amounted to the vilest of heresy. The Reformation certainly produced ample material to start a good many ale-house fights. Many resented and resisted the innovations, though relatively few did so passionately enough to risk apprehension by the law. The doctrinal changes were not absorbed silently or compliantly though.⁴⁶ Henry Letherand,

⁴⁶ Elton, Policy and Police, (Cambridge University Press, 1972), p.44.

the vicar at Newark, instructed his flock to use daggers against promoters of the "new" learning, and stated that whatever the King, the Archbishop of Canterbury, and parliament did against the Pope would be heresy,⁴⁷ an instruction he had every legal right to give up until 1534.

Therefore this problem of 'heresy', what it was and how it was identified was an issue of great importance, but at the same time one that was specifically addressed only on rare occasions during this period, and then in usually the broadest terms. Acts such as the Six Articles of 1539⁴⁸ which gave a specific definition of what constituted heresy were rare, but the problem, and the fears regarding its effects remained and the next chapter shall explore these issues more fully, and examine the dilemma regarding the best method of resolving and removing the threat of heresy.

⁴⁷ Ibid., p.33.

⁴⁸ Statutes of the Realm, Vol.III. 31 Hen VIII c 14.

CHAPTER TWO

THE HALLMARKS OF ORDER: UNITY AND OBEDIENCE

"He [Utopus] had made the observation that the universal dissensions between the individual sects/who were fighting for their country had given him the opportunity of overcoming them all."

From Utopia by More, pp.219-21.

"Let us all therefore fear the most detestable rise of rebellion, ever knowing and remembering that he that resisteth common authority resisteth God and His ordinance...."

From Homily on Obedience 1547
In Elton Tudor Constitution, p.15.

The problem of dealing with heresy in Tudor England was highlighted and compounded by the continual challenge to and reevaluation of key concepts and issues. This potent cocktail of potential dissension and strife consisted of fundamental themes such as order, unity, obedience to authority (both secular and ecclesiastical), the conflict of obedience over the demands of conscience, horror of rebellion and the task of resolving these one way or another through either toleration or persecution. These factors mingled in varying combinations and to varying degrees throughout the entire period: from the first burning of Luther's books in England; to the determined persecutions by Thomas More; to the more subtle attempts

at religious uniformity by Cranmer; to, finally, his death, along with those of his colleagues Latimer and Ridley - themselves victims of a monarchical persecution inspired by the very same concerns. If these years were ones of turmoil, upheaval and violent change, it could also be argued that the underlying motives and fears remained the same, and applied more or less equally to both sides.

Both Catholics and Protestants upheld a vision of England as a Godly nation ordered, united and made prosperous by the correct understanding of and government by the true Church of Christ under a supreme head on earth. Likewise each saw the other's vision as a fast-track to destruction, social disorder, and disobedience, not to mention as theologically unsound, scripturally unfounded and just plain mistaken. The clash between these two similar but opposing factions produced a turbulent period of internal strife and confusion. In order to fully appreciate the magnitude of events over these years, these important issues must be clearly outlined.

Disunity within a Christian realm was a scandal. Religious unity and conformity was essential if the State and the individual were to exist in any kind of security.¹ Obedience in all matters must arise from each individual conscience, or else such obedience was unreliable. Neither order nor binding laws would suffice alone² because mere

¹ Russell, J.E.H. Vol.18, p.203.

² Ibid., p.213.

legislative penalties would not be a sufficient deterrent against crime and sin: people must obey the laws from their very consciences and from fear of God or good citizenship was impossible.³ Disobedience and disunity in minor matters were as bad as in major areas as they opened the gates to what would inevitably become a torrent of rebellion and sedition.⁴

Sixteenth century England was widely imbued with a strong horror of rebellion that heightened the need for order and unity considerably.⁵ This in turn, in order to bring such order and unity about, strengthened the need for obedience to various established and recognized authorities - and this was true as much regarding religion as it was regarding every other aspect of life. Given that all authority (ecclesiastical and secular) was either divinely ordained or appointed (ultimately), rebellion thus constituted a sin as well as a secular offence. Obedience or disobedience to authority was ultimately to God and it followed that any eventual punishment would be the result of divine wrath - whether it be personal suffering as in illness or injury; or national, as in war, famine, plague or being subjected to a tyrannical ruler. There was also purgatory and the torments of everlasting hell to consider - the reality of which had been reinforced for several

³ Ibid., p.215.

⁴ Ibid., p.212.

⁵ Edwards, Christian England Vol.1, p.293.

centuries in art and literature, and which in turn fostered a certain fear of God and his wrath.

In a certain sense fear of God - or, more accurately, of divine retribution - was almost obligatory in 16th century religion.⁶ There was a distinct underlying belief that only faith in God and fear of his justice distinguished the law-abiding from the faithless, lawless rebel. Faith in God was the central point from which all other virtues extended: virtues such as charity, humility, obedience, justice and other essential qualities of the good citizen. Without faith, without fear of the consequences of a lack of faith, there was no encouragement or propellant for good social order, and thereby no possibility of a peaceful and prosperous nation. Religion thus constituted the central, most effective means of maintaining social and political order,⁷ especially as the penalties for breaking the rules extended far beyond the secular threats of imprisonment or execution: ultimately whether one wished for happiness and pleasure or torment and pain after death depended greatly on one's behaviour in this life.⁸ The fear of resulting social breakdown and eternal perdition were prime motivating factors in compelling the authorities to eradicate such evil beliefs

⁶ Wootton, "The fear of God in early modern political thought" in Historical Papers, (Canadian Historical Association, 1983), p.57.

⁷ Ibid., p.58.

⁸ Ibid., p.59.

before irretrievable damage was caused. The late 15th century writer, Comines, maintained that man's evil deeds stemmed directly from a lack of adequate faith in God and in divine justice. This fear of God was, in particular, the only possible check on wicked rulers, who were exempt from the normal restraints of common law.⁹

If the monarch was not answerable to secular law, this privilege was coupled with enormous responsibility for the maintenance of order, unity and obedience throughout the realm. The need to maintain obedience ultimately placed the burden of preaching and teaching on the monarch.¹⁰ In addition Henry VIII saw it as his divinely appointed duty to maintain peace in religious affairs also, something which encouraged him to assume responsibility from the Church for inquiries into heresy. If unorthodox religious beliefs were permitted to become established, there was a danger that rival religious sects may persecute each other in order to gain religious and political dominance.¹¹ Thus as the State became increasingly involved in the maintenance of religious conformity and the control of heresy, it became possible for heresy to be judged according to political as well as theological concerns.¹²

⁹ Ibid., p.61.

¹⁰ The Tudor Constitution (ed. Elton, Cambridge University Press, 1962), p.13.

¹¹ Jordan, Development of Religious Toleration in England, p.67.

¹² Ibid., p.67.

A case in point occurred at the trial of John Frith in 1533 when Henry VIII remarked that Frith's denial of papal supremacy did not constitute heresy but was in fact the truth. It is unlikely that the King would have made such a remark ten years earlier when political considerations were entirely different.

Other overall attitudes included a general agreement that obedience to constituted authority amounted to a religious duty.¹³ The necessity for unity and obedience had been illustrated by the example and teaching and the gospel of Christ himself. He had commanded people to be charitable and united as his flock, thus be as closely knitted together as he and his Heavenly Father.¹⁴ Christ had also been utterly obedient to law and authority throughout his life. He had kept the laws and customs of his age and society such as circumcision and the Sabbath, and had been obedient to princely law, even suffering death, according to its demands. In this he had taught that man must never despise nor be disobedient towards right and God-abiding common authority.¹⁵ This attitude was also expressed in Romans 13:1-2: "...For there is no power but of God: the powers that be are ordained of God. Whosoever therefore resisted the power, resisteth the ordinance of God, and they that resist shall receive to

¹³ Allen, A History of Political Thought..., p.123.

¹⁴ Starkey, Exhortation to Unity and Obedience, (London, 1540?), STC 23236.

¹⁵ Ibid., p.50.

themselves damnation." It was also the common thought that it was ultimately the government's duty to enforce truth and suppress error.¹⁶ In this secular authorities were very active, as subjects who held different opinions from the established norm were deemed to be disloyal.¹⁷ It was by no means considered acceptable or desirable for the ordinary person to decide matters of right or wrong according to their own opinions. This was exceedingly dangerous and would only result in all manner of disobedient and seditious behaviour.¹⁸ The monarch's personal role in combatting heresy was defined by More as being of the same importance as the King's obligation to protect his subjects from invasion by foreign powers. If people were seduced or corrupted by heretics the perils would be the same as in the case of war: i.e. men's souls would be with drawn from God, their goods lost, and their bodies destroyed by sedition, insurrection and outright war.¹⁹

The need to make obedience a top priority was heightened by Henry's reformation of the Church during the 1530's. It became even more imperative to instil the belief that God forbade active resistance or rebellion, "Though the magistrates be evil and very tyrants against the commonwealth, yet the subjects must obey in all worldly

¹⁶ Russell, J.E.H. Vol.18, p.219.

¹⁷ Ibid.

¹⁸ Ibid., p.220.

¹⁹ More, A Dialogue Concerning Heresies, pp.415-6.

things."²⁰ Though there was a general refusal to admit that any case could be made for the right to rebel against secular authorities, there was still the question of to what extent evil and tyrannical rulers should be obeyed if their actions or policies were clearly contrary to the public good or God's commandments - something that was extremely difficult to determine. Although Archbishop Cranmer was one of the staunchest upholders of obedience to the monarchy, he declared in 1549 that subjects were not to obey their King rather than God if the King's commands were clearly contrary to God's.²¹

This point was declared quite clearly by Cranmer in the Reformatis Regum Ecclesiasticarum, drawn up late in Edward's reign. It was stated quite concisely that all ecclesiastical jurisdiction was derived from the Crown and that it was for the sovereign to decide what, in the last resort, constituted heresy.²² This implied that it was for the King to decide what was the correct interpretation of doubtful scriptural passages and to thereby decide upon all controversial questions of doctrine. The ultimate definition on the essentials of Christianity, on the sacred and the worthless, or the necessary and the superfluous, resided firmly with the monarch.²³

²⁰ Allen, A History of Political Thought..., p.127.

²¹ Ibid.

²² Ibid., p.162.

²³ Ibid., p.165.

Dire consequences were foretold to warn people of divine wrath against the disobedient. The 1547 Homily on Obedience stated that God had created all manner of degrees of order in heaven and on earth that all men had a duty to obey at their own particular level. "Where there is no right order there reigneth all abuse, carnal liberty, enormity, sin, and babylonical confusion. Take away kings, princes, rulers, magistrates, judges and such states of God's order, no man shall ride or go by the highway unrobbed, no man shall sleep in his own house or bed unkilld, no man shall keep his wife, children and possessions in quietness and all things shall be common and there must needs follow all mischief and utter destruction."²⁴ In order to ensure its message was clearly understood it added "Let us all therefore fear the most detestable vice of rebellion, ever knowing and remembering that he that resisteth common authority resisteth God and His ordinance...."²⁵

Thomas More was one of the most important figures who addressed and attempted to conclusively deal with the problem of heresy and the threat it posed. His activities in this area were extensive and passionately motivated, and his position as Lord Chancellor added a particularly political dimension to this appointed task. In addition his prolific writings on heresy and matters relating to it

²⁴ The Tudor Constitution p.15.

²⁵ Ibid.

(such as the defence of the Catholic faith and its traditions), clearly illustrate many points and issues that were predominant at the time and which remained so for many years.

When More wrote his Utopia he had no personal knowledge of heretics, nor any conception of the assaults that they would make on the institutions he revered. Events such as the Lutheran Revolt, the Peasant's Rebellions, and the dangerous views of Anabaptists and other sects all altered his views profoundly. For Thomas More civilization and order were inextricably linked. More was under no illusions that the Church which he loved was greatly in need of reform - but he perceived the necessary changes to be of a purely materialistic nature. Essential truths remained just that, and he was repelled and revolted by the radical changes proposed by the Protestants for the attainment of these corrections.

The beginnings of More's swing from the more tolerant stance expressed in Utopia to outright persecutions began very early on. The inhabitants of Utopia were permitted to speculate on theological matters because they were pagans, and they were therefore not forced to equate dissent with heresy because there was very little established dogma by which to define and judge it. Utopians were only required to believe in the immortality of the soul, that the world is governed by divine providence and that in the afterlife

all vices will be punished and all virtues rewarded.²⁶ No tolerance would be shown towards those who denied these basic tenets. However Luther's attacks forced More to further restrict orthodoxy and to admit that what was possible for pagans was impossible for Christians.²⁷ Christ had promised that the Church would be led unfailingly by the Holy Spirit, and God required men to accept all the beliefs and practices that had been accumulated through time. Thus what was merely creative speculation in Utopia was outright heresy in Europe and must be condemned. The Church could not afford to be tolerant on this issue, and even if Luther had put his proposals forward more gently, he would still have been condemned.²⁸

More's personal faith was both sincere and conservative. He knew that the Church contained both good and evil men, and that good men were constantly tainted by sin.²⁹ But all this was no reasonable cause for despair, Christ had promised to be eternally present in and assistant to the Church and even the most sinful of men was still spiritually alive and nourished by the Holy Spirit that animated, guided and preserved the Church. While one remained part of the Church one was not deprived of the

²⁶ More, Utopia, The Complete Works of St. Thomas More, Vol.4 (Yale University Press, 1965), p.221.

²⁷ Fox, Thomas More: History and Providence, (Yale University Press, 1983), p.132.

²⁸ Ibid.

²⁹ Ibid., p.136.

chance of amendments nor of the grace that enabled one to achieve it.

Luther's attacks on the Church and his belief in predestination threatened this entire world view.³⁰ This caused major problems for More because it thereby assumed (if predestination was correct) that God was indifferent to man's deeds, whether they were good or evil. It thus followed that the predestined elect could do no wrong, and however evil their actions they still seemed assured of reaching heaven after death. The unchosen, by contrast, could do no right, however good their actions, and had absolutely no chance of redeeming themselves through meritorious acts.³¹ If men were unable to choose by their own freewill to do good, then they could not be held responsible for any evil they committed. Thus the ultimate blame rested on God for causing or allowing this "pre-programmed" evil to exist.³² More allowed for the fact that if the predestined were dreadful sinners they may still be converted and thus saved as they were predestined to be³³ - as the example of St. Paul proved - but he refused to allow that good men of meritorious actions may be deprived of salvation because of some odious choice which was irreversible and nonsensical.

³⁰ Ibid.

³¹ Ibid., p.158.

³² Ibid.

³³ More, A Dialogue Concerning Heresies, p.197.

Luther also poured scorn on miracles, the blood of the holy saints and martyrs, the virtuous living of the blessed confessors, the purity of widows and virgins, the wholesome doctrine of the holy doctors, and the consent and agreement of Christian people for the last 1500 years.³⁴ In addition Luther denied all seven sacraments except for baptism, penance, and the sacrament of the altar. The others he considered to be of no use or effect. Luther believed there was no need to have a priest for confession or absolution, a point on which many English people influenced by Lollardy would have agreed with him.³⁵ Luther also taught that only faith could lead to salvation, and while baptism was a necessity, the performance of good works was not. He considered it sacrilege to go about trying to please God with good works but without faith. And lest someone should argue that the non-performance of good works, or the performance of evil works constituted a grave sin, Luther stated that no sin could dampen a truly Christian man, only the lack of belief and faith in God. Faith absorbed and absolved all sins, no matter how grievous.³⁶ Luther denied freewill for mankind. People could only suffer God to work either good or evil through them, a belief that More interpreted as implying that God was thus the author of all

³⁴ Ibid., p.46.

³⁵ Ibid., p.349.

³⁶ Ibid., p.352.

evil, as well as of all good.³⁷ Luther also denied the existence of purgatory, and believed no reverence should be paid to images of any kind - saints should not be prayed to, relics should not be 'worshipped', and pilgrimages were a waste of time.³⁸

More's response to the latter point was the orthodox reasoning that images were worshipped not as God, or out of any desire for reward, but in the memory of the person or thing represented in the image, and thus paying honour to God. More argued that images were the books of the laity, wherein they could study and contemplate the life of Christ.³⁹ More could see no sin or wrong in revering the images by which Christ's life and passion were represented, especially if the result of doing so was the salvation of even a single soul. Luther was strongly opposed to this, even the honouring of the cross Christ died on, and he also opposed feasts, especially the Holy Cross and Corpus Christi.⁴⁰ In doing so Luther was guilty of heresy, for the honouring of images was one of the main tenets of orthodoxy to which total obedience was demanded. Dissension in this area had marked Lollards, and would mark Protestant 'reformers' out as heretics by fostering division and hostility within the Church. In doing so he

³⁷ Ibid., p.353.

³⁸ Ibid., p.355.

³⁹ Ibid., p.359.

⁴⁰ Ibid., p.360.

also sought to remove important customs and rituals from ordinary people's lives that provided relief and entertainment from an otherwise hard and drab existence, and which also provided a leveller between social classes and a harmless manner of relieving social tension, thus averting disorder.

More believed with great conviction that the Church understood the Scriptures correctly and that it could not err, even remotely, in this area.⁴¹ Certainly some points of Scripture were dark and mysterious so that the correct understanding could only come at the right time and after sincere effort, but all truth would be revealed by degrees and Christ had promised that the Church would be led into the correct understanding. God's assistance to the Church so touched his own honour that he would never allow it to fall prey to supposition and idolatry instead of faith.⁴²

The heretics also clearly challenged the Church on other vital points, such as faith versus good works regarding salvation. Luther's doctrine of sola fide created all sorts of problems for More. What if one has faith aplenty but performs works of utter evil? This was a complete deviation from the traditional viewpoint, particularly regarding Luther's assertion that God neither required nor cared for good works.⁴³ It was simply

⁴¹ Ibid., p.188.

⁴² Ibid., p.189.

⁴³ Ibid., p.267.

unacceptable to advocate a belief that permitted people to perform all manner of evil deeds. It would lead to complete chaos throughout the realm, endangering not only innumerable souls, but also everyday security on both a local and national scale. Disorder was the child of disunity and disobedience, and evil deeds, regardless of one's faith, were clearly the result of disobedience and division, and could not fail but to lead to chaos. Whether God required or cared for good works may have even been irrelevant: the prosperity and security of the realm demanded them. Luther also maintained that no apostle should be permitted to institute a sacrament on his own authority (referring to that of extreme unction by the apostle James). Luther believed this power belonged to Christ alone and all surplus sacraments should therefore be done away with, especially where, as with extreme unction, there was no record of them in the gospels.⁴⁴ More would, and did, argue that it was grave heresy to indicate that the epistles and other writings of the New Testament did not count or should not be believed in as articles of faith purely because they were not a gospel.⁴⁵ Several years later, in 1540, Starkey summed up the argument regarding faith versus works in the traditional Catholic manner: both were necessary for salvation and equally required. Faith alone was naked without good works or the will for

⁴⁴ Ibid., p.291.

⁴⁵ Ibid.

them; and works alone ungrounded in faith were utterly unprofitable.⁴⁶

These factors, and others regarding theological matters, led More to view Lutheranism as utter heresy. This definition of it involved obstinate pride, malice and sedition.⁴⁷ If anyone was so deeply infected that his soul and those of others were in danger, to such an extent that nothing would convince them of their error and correct him - then it was far better that they die than remain to infect and damn others.⁴⁸ More expressed his contempt with great venom and gloated with satisfaction when recording the executions of Protestants. Things were bad enough when they were confined to the Continent and the slaughter of 70,000 rustics by temporal Lords; the Peasant's Revolt and the marriages of Luther, Bugenhagen and Lambert in 1525 outraged him, but when England began absorbing Lutheranism markedly it indicated that an inevitable slide into chaos would occur unless heresy was exterminated.⁴⁹

While many of the new heretics nevertheless practised total obedience to secular authorities in all areas, not all did so.⁵⁰ Around 1529-30 a little book called The Sum of the Scriptures arrived in England and was one of the

⁴⁶ Starkey, Exhortation to Unity and Obedience, p.87.

⁴⁷ Fox, Thomas More: History and Providence, p.119.

⁴⁸ Ibid.

⁴⁹ Ibid., p.138.

⁵⁰ Jordan, The Development of Religious Toleration in England, p.57.

earlier works that prepared the way for Baptist teachings to circulate. The work advanced Anabaptist doctrine that among people belonging to the Kingdom of God there existed no place for the temporal sword, which belonged to the unrighteous. Christ had not ordained any such authority within the spiritual kingdom, such authority only applying to the secular realm outside the Church.⁵¹ This book was formally condemned upon royal command by Archbishop Warham in 1530 and illustrates the kind of destructive tenet that could hinder total obedience to secular authority. It also explains the common belief that heresy was closely linked to, and would eventually incite, sedition.

Stephen Gardiner, Bishop of Winchester, like St. German and later, Thomas Starkey, had firm opinions on the need to maintain unity and obedience within the realm, which he had outlined in his 1535 treatise De Vera Obedientia Oratio. In this work Gardiner stated emphatically "...that to obeye truly is nothing elles but to obey unto the truthe",⁵² and also exhorted people to "...obey God for Goddes sake, which only is true obedience".⁵³ Gardiner was also absolutely certain as to which earthly authority was to be obeyed above all others, and like St. German strongly supported the idea that the

⁵¹ Ibid., p.58.

⁵² De Vera Obedientia Oratio printed in Obedience in Church and State (ed. P. Janelle, Cambridge University Press, 1930), p.73.

⁵³ Ibid., p.81.

King should be that ultimate authority, even where the province of spiritual affairs was concerned.⁵⁴ It was for the King, not the Pope, to be head of both the laity and the clergy; to preside over both temporal and spiritual affairs, in order to fully govern his people. "Al maner of people receaving and embraceing the truthe doo with one hole consent acknowlege honour and reuerence the king and for the supreme heade of the churche upon earthe. They bidde the bishop of Rome farewell..."⁵⁵ for "...the prince is the hole Prince of all the people and not of parte...."⁵⁶ The Popes were not fit to fulfil this task and be God's chosen vicars on earth because they had indulged in "straunge artes and carnall fetches",⁵⁷ and thus should restrict their activities to preaching; the priests in Old Testament times had been subservient to their kings.⁵⁸

This obedience of the King in both spiritual and temporal matters was required during times of reform, which was the King's choice and prerogative, "Thus when we are bidden obey the prince, this behest no doubt contains all things implicitly, which the prince will afterwards command; yet as to the manner of obeying, the prince

⁵⁴ Ibid., pp.103-5.

⁵⁵ Ibid., p.157.

⁵⁶ Ibid., p.117.

⁵⁷ Ibid., p.123.

⁵⁸ Ibid., p.129.

himself unfolds it afterwards".⁵⁹ These words were written after the debates over the validity of the King claiming supremacy over the Church, and thus had clear political overtones, as did many such works; and they returned to haunt Gardiner somewhat when he became Chancellor under Queen Mary.

One of the major acts of the 1530's, the Act of Six Articles of 1539,⁶⁰ reflected the reemerging conservatism in its definition of key elements of faith in a staunchly Catholic light. It was now firmly enshrined in law exactly what constituted heresy (as opposed to earlier statements merely about what did not constitute heresy), and what the penalties for the condemned were. The year 1536 had seen an extensive rebellion (or collection of rebellions) in the north that was given the name Pilgrimage of Grace. Many of the grievances of the rebels were religious, but overall their demands for redress covered every area - religion, politics, economic and social issues. More importantly for the King it amounted to the most serious threat to his rule and authority from within England over his entire reign, and was met with savage retribution after the rebels surrendered. Also considering the extensive growth of heretical ideas during the decade, it is no surprise that the late 1530's - early 1540's saw a far more repressive approach.

⁵⁹ From Gardiner's Answer to Rome, 1541, *ibid*, p.201.

⁶⁰ Statutes of the Realm Vol.III, 31 Hen VIII c 14.

Such concerns were uppermost in the mind of Thomas Starkey who wrote An Exhortation to Unity and Obedience in 1540. The recent rebellions and the threat to Henry VIII's rule that they embodied only served to emphasise the ever-present need to maintain order throughout the realm, and thereby the need to maintain its components: unity and obedience. Should the realm fall prey to further dissention and hostility, it could expect more and more violent events which may even result in the removal of the present monarch and government. To avert what was simply the ultimate outcome from prevailing moods and tensions, it was necessary to restore a temperament of calm and order throughout the realm, an end that tracts such as Starkey's Exhortation were designed to achieve. Starkey commented that people were bound to obedience and unity by both God's law and good civility,⁶¹ and cited the example of Germany, of which England should take special notice, which had slipped into sedition and discord because of the great divisions there. He argued that certain ceremonies and traditions were necessary to maintain unity and he attacked those who were blinded by superstition and thus leaned only on Christ's word for truth and failed to discern good and necessary things from those that were only temporarily convenient according to current policy. Starkey echoed the perpetual reason for obedience in order to maintain unity and God's providence, which would reward the faithful

⁶¹ Starkey, Exhortation to Unity and Obedience, p.1.

with prosperity, and punish the faithless with division.⁶² Obedience was always the chief bond of all virtues and civility, even among gentiles, "...was ever noted to be as the mother of all virtue and honesty."⁶³ This in turn leads to the dominance of reason in all matters and fosters a reluctance to rebel.

Starkey blamed the current religious problems and divisions on men's superstitious and arrogant blindness.⁶⁴ The true religion, he claimed, was the honouring of God combined with the reverend fear of disobeying his precepts.⁶⁵ He criticized the Protestant reformers for their over-emphasis on the details of religious worship and practice: its signs and symbols, which prayers to say and in which language.⁶⁶ To destroy the customs, ceremonies and traditions of religion would only lead to utter confusion and the destruction of Christian purity.⁶⁷ Starkey also criticized the conservative papists whom he claimed were equally blind. In addition they had also disobeyed princely authority, plus that of the council and the law which Starkey claimed they were bound both by nature and by God's law to obey as long as they stood in full strength

⁶² Ibid., p.4.

⁶³ Ibid., p.5.

⁶⁴ Ibid., p.18.

⁶⁵ Ibid., p.21.

⁶⁶ Ibid., p.22.

⁶⁷ Ibid., p.25.

and power.⁶⁸ Thus Starkey therefore sought to bring both the Protestants and papists together under a canopy of common concerns: the honour of God and the need to obey the precepts in order to prosper and avoid spiritual and temporal ruin. To do this he sought to illustrate where each erred by causing division and strife, so that these may be corrected and lead to a resolution of the overall problem, the disunity and disobedience of the time.

The greatest controversy though had occurred over obedience to adiaphora or things indifferent rather than things that were utterly necessary to man's salvation. Among Christian nations the word of God had to be the first authority, and if any worldly law commanded the contrary to God's law it must be disobeyed boldly and consistently: barbarous tyranny was not to be suffered in Christian civility.⁶⁹ But obedience was required to all laws that were not repugnant to Christ's doctrine. Those who disobeyed were unworthy to live in that common policy, or to be a member of such a society.⁷⁰

At the heart of these problems were differing views regarding the concept of obedience that were to clash head-on during the reign of Mary I. The Catholics saw divine purpose as having been entrusted to the Church of Rome,⁷¹

⁶⁸ Ibid., p.18.

⁶⁹ Ibid., p.8.

⁷⁰ Ibid.

⁷¹ Loades, The Oxford Martyrs, p.273.

and thereby the principle function of the secular authority was to order and discipline the people according to, and in order to accept, the salvational system of the Church. To challenge this system in any part meant to challenge it in total, which could only be the Devil's work because the Church's enemy was, by definition, the Devil's servant. For the reformers, however, divine purpose had been set out in Scripture, by reference to which the Church must be defined and the correct order of secular law and government determined. Scripture decreed obedience to secular magistrates and authorized royal supremacy, and laid down the doctrine for the Church to follow. To refuse any aspect of what the Scripture commanded to be followed for salvation entailed the rejection of God's mercy. In addition such an act of repudiation could only result from bondage to the Anti-Christ.⁷² If any part of authority was questioned in any way it was seen to weaken the entire structure,⁷³ and the dilemma over to whom one owed ultimate earthly obedience was not to be easily nor quickly resolved.

This again led to the major problem of what was to be tolerated, if anything, and to what extent. Neither side was prepared to go very far on this point. Cranmer believed that "no state could be in safety when there was toleration

⁷² Ibid.

⁷³ Ibid., p.75.

of two religions".⁷⁴ As with the Catholics under the likes of More, Cranmer's goal was uniformity of religion, but he was not a brutal man by nature and vastly preferred to use restraint and moderation where possible; pressure rather than persecution was the man's natural style.

Cranmer was striving continually for a reformed Church that would enhance all the various protestant factions. In a letter to Calvin in March 1552 he stated that nothing separated the Churches more than heresies and disputes regarding doctrine, and nothing united them as much as the pure teaching of gospel and doctrinal harmony.⁷⁵ He sought doctrinal simplification with the doctrine of the Eucharist as the essential cornerstone, so that minor differences could be waived to attain Christian unity.⁷⁶ His ultimate goal was a comprehensive religious structure into which the vast majority could be coaxed with the minimum of compulsion.⁷⁷

Not that all of Cranmer's actions were flexible, for he, Latimer and Ridley were all involved at various times in combatting heresy. All three were, among others, on a commission set up by the Council to repress Anabaptist after justices of the peace in Kent had informed the Council in April 1549 of the activities of a former

⁷⁴ Jordan, The Development of Religious Toleration in England, p.70.

⁷⁵ Ibid., p.70.

⁷⁶ Ibid., p.71.

⁷⁷ Ibid., p.87.

heretic, Joan Bocher, also known as Joan of Kent. Anabaptism in the 1540's was what Lutherism had been in the 1520's and 1530's, and what Lollardy had been for over a century until the late 1530's: simply the most radical doctrine of the day. While each system of belief contained certain doctrines that were offensive or contrary to the established religious system, the mere fact that Anabaptism was seen as heretical even by reformers who had themselves been regarded as heretics marked it out for hostility and persecution from all quarters. In the 1520's and 1530's there had been some similarity between Lollardy and Lutherism, but Anabaptism which denied even the sacrament of baptism and obedience to temporal authority was radical even by Lollard and Lutheran standards. Thus any doctrine too radical to be defined as Catholic, Protestant or Lollard was thus defined as Anabaptist - a convenient all-purpose label rather than an accurate definition of certain religious beliefs. Cranmer and the other Protestant bishops thus continually used the term 'Anabaptist' as loosely as Catholics had used the term 'Lutheran' thirty years before - i.e. to describe anyone who held religious opinions more unorthodox than their own, but especially those who denied the divinity of Christ. Both Protestants and Catholics were in agreement, for once, that Anabaptists constituted a dreadful threat to both Church and State, were subversive

to royal authority, to the privileges of the nobility and gentry, and to the rights of private property.⁷⁸

Mary's personal views were reinforced by the important figure of Cardinal Reginald Pole, who, himself, was to give great impetus to the persecution. Pole was convinced that the cornerstone of faith was Church, if not papal, authority.⁷⁹ Theological discussion and argument, as he had learned at the Council of Trent, only led to doubt, strife and confusion, even among the learned. The peace of the Church and the salvation of souls depended on a willingness to obey as children. For Pole the common people were fit to be only humble and obedient sheep, and the idea of them professing and defending their own ideas was unseemly, tragic and unnatural.⁸⁰ Pole was greatly out of touch with the English situation, he had been away for many years and had too little understanding of the difficulties that lay in his path. He only knew that souls went to eternal perdition with each day's delay and that action was imperative.⁸¹ In this respect Pole symbolized the Marian Church in that he was far more concerned with the few who defied it than with the many who merely ignored it,⁸² and

⁷⁸ Ridley, Nicholas Ridley, p.163.

⁷⁹ Ibid., p.172.

⁸⁰ Ibid., p.173.

⁸¹ Ibid., p.321.

⁸² Edwards, Christian England Vol.II, p.66.

allowed much energy to be allocated to the very public burning of heretics.

Pole saw heresy, national feeling and anticlericalism as aberrations of schism arising from wicked leaders and wild emotions, which had to be respectively changed and checked by a quiet and controlled return to traditional worship and Church government. Certainly the last thing he needed was more of the evangelical excitement provided by the Edwardian protestants, thus his reluctance to enlist the aid of the Jesuits in dealing with the problem of heresy.⁸³ His views, not surprisingly, echoed those of his monarch in many respects. He viewed the schism under Henry as having been inspired by a small clique who had perverted people's minds and who were responsible before God for the people's distress. Englishmen had been subtly abused under Edward, and had failed to see through the deceit of a few leaders.⁸⁴ Pole intended to bring them food for their 'pure need' as 'little children'. He envisaged the multitude as passive in their error - such as an ass or a cow coming to the stall where meat had been placed before them out of malice, and of which they partook out of poor judgement.⁸⁵ During the schism people had been led to use their own

⁸³ Pogson, "Reginald Pole and the priorities of government in Mary Tudor's Church in The Historical Journal Vol.18, 1975, (ed. D. Beales, Cambridge University Press), p.7.

⁸⁴ Ibid., p.7.

⁸⁵ Ibid., p.8.

judgements, and like Adam and Eve, had been tempted by greed and ignorance to sin and had thereby lost grace.

For Pole, as opposed to Mary, order, discipline and the administration of the sacraments were more important than preaching.⁸⁶ Sermons were only likely to be controversial and it was the role of Christian subjects to obey, not argue. Theology, this was the function of the clergy. The predominant concern was with how people behaved as well as what they believed. Regular mass attendance, participation in processions and traditional rituals with reverence towards the Church and its ministers would restore the faith effectively.⁸⁷

However this policy soon proved inadequate on its own, and after eighteen months of Catholicism it was clear that not all were prepared to comply willingly and that sterner measures - as advocated by Gardiner - would be required. Gardiner, now Chancellor, wished to see the imprisoned bishops and preachers tried for heresy, to give them the option of surrender or execution: a system under which the old-time Lollards had not proved particularly heroic.⁸⁸ The first batch of prisoners were arraigned, significantly, within days of parliament's dissolution, and on 22 January 1555 all imprisoned preachers in London were brought to the house at St. Mary Overy's where they were threatened and

⁸⁶ Loades, The Reign of Mary Tudor, (Ernest Benn, 1979), p.330.

⁸⁷ Ibid., p.331.

⁸⁸ Ibid.

cajoled into signing recantations - which only two out of about eighty actually did. The policy, now, was to rigorously enforce submission to the Church's authority on all who had made Protestantism an excuse for defiance and disorder: any executions were to prove that the government meant what it said. Pole was determined to protect his flock from 'wolves', and the elimination of heresy became paramount in the management of ecclesiastical affairs from 1555.⁸⁹ Preaching was useless under these circumstances as people were corrupted by schism and therefore listened with bias and avarice in their hearts and remained untouched by God's word. Preaching would only be valuable when people had been forced by the terror of the law to realize the truth.⁹⁰ Such a legalistic approach was necessary to soften hardened hearts and make them receptive to the truth. Only when people were obedient to the discipline of the Church's traditions and benefitting from its guidance would they start to profit from a preaching campaign.⁹¹

Maintaining order and unity were primary concerns for all governments, and England was no different in this, nor its view that religious unity and order would spread to keep the entire realm peaceful and prosperous in all areas. It was the means of doing this that led to confusion and dissent, especially when faced with different and novel

⁸⁹ Ibid.

⁹⁰ Pogson, Historical Journal Vol.18, 1975, p.13.

⁹¹ Ibid., p.16.

systems of belief and practice. Quite simply, should religious innovation and challenge be tolerated or persecuted? Were these factors evidence of a faith that was alive and searching, which sought to satisfy and save as many as possible by any means that seemed attractive, or were they a sign that the religion was hopelessly ailing and in need of bitter and painful remedies in order to restore it to its former health? The general consensus in 16th century England was that the latter was most definitely the case, although persecution was to be neither general or consistent. Indeed there were several periods of time in which the malady of heresy was allowed to exist or even tolerated. This was not, however, out of any notion that a heresy may be truth, but rather, as Conrad put it, "The victory of toleration was normally a victory of expediency over principle."⁹²

⁹² Russell, J.E.H. 18, 1967, p.201.

CHAPTER THREE

THE MAINTENANCE OF ORDER: THE POLICY OF PERSECUTION

"Actually, they count this principle among their most ancient institutions, that no one should suffer for his religion."

More, Utopia, p.219.

"If a man abide not in me, he is cast forth as a branch, and is withered; and men gather them, and cast them into the fire, and they are burned."

John 15:6

Inevitably differences arose between people of differing opinions, especially in the heady days of the 1530s when there was almost universal consensus that ecclesiastical reform was necessary, if not overdue, but little consensus as to the best method of achieving it, or the direction it should take. The almost desperate need to maintain unity and obedience under all circumstances thus necessitated that one side must therefore be wrong and guilty of disobedience and fostering religious division within the realm.¹ There also had to be some kind of response in order to maintain some manner of control over

¹ Russell, J.E.H., 18, 1967, p.216.

events. There were effectively two broad choices: one could either allow or accept most diversity without a great deal of intervention, or one could attempt to keep all diversity, except that specifically authorized in the name of reform, strictly curtailed or prohibited. Basically the choice lay between toleration or persecution, and all the issues thus far discussed provide every indication that the latter was to be the likeliest path of action.

Religious toleration was unlikely for another reason. Such a policy is only likely to become widespread, and widely accepted, when the group holding authority in society and politics no longer fears the consequences of such dissent or diversity occurring. This was nowhere near the case in sixteenth century England. Fear of the consequences from allowing or tolerating diversity or dissent was a strong motivating factor in the persecutions that occurred throughout this period. The authorities feared a weakening of intended national security, and given that external invasion through war was always a possibility, a divided nation was unlikely to repulse such an event as successfully as a united realm. There was also the common fear that such dissension would foster rebellions, which were always seditious and which might possibly undermine the force of authority all the way to the Crown. Finally, and very importantly, there was the fear of causing grave offence to God,² and suffering the

² Jordan, The Development of Religious Toleration in England, p.21.

inevitable and brutal consequences. Such dreadful consequences may not have eventuated, but no monarch who, as Henry did, took the defence of his subjects' bodies and the salvation of their souls at all seriously was going to take such an uncalculated and unguaranteed risk. Safety necessitated only one path could be reasonably followed - that of repression.

There were several factors that immediately complicated this method, however. There had been a general increase in people travelling both abroad and within England. It was impossible to travel on the Continent at all widely without encountering one of the many variations on Christianity, and travel within England had also increased, especially among the artisan, labouring and merchant classes, all of whom played a key role in distributing unorthodox teachings throughout the country. The single most important factor that was likely to defeat any persecution however was the printing press.³ Heretics of all persuasions had been quick to realize the importance of the press, certainly far quicker than governments of the period, and continually exploited it to its fullest possible potential. Many works from the Continent were repeatedly imported into England, which proved a source of unending annoyance to heretic hunters from More to Mary, but which was impossible to stem effectively without damaging vital trading links with ports such as Antwerp - trading

³ Ibid., p.23.

links that kept England's economy alive.' These works were then distributed throughout England by the traders. The situation was further compounded by an overall lack of resources with which to combat the almighty printing press, and a lack of appreciation in government circles that such a propaganda war could only be effectively waged if the defenders used exactly the same weapons.

To suggest that a continual state of repression and outright persecution existed throughout this period would be misleading, however. But this is not to imply that it was replaced by a tendency towards acceptance or approval of religious diversity. Certainly there was a degree of toleration, but only insofar as toleration implied a deliberate refraining from persecution.⁵ The term implies a degree of putting up with what would otherwise be, and may become, an adversary for the time being because of very specific reasons, such as political expediency (as in obtaining support for a certain divorce). Toleration of religious diversity did not imply or intend acceptance of or willingness to accept religious unorthodoxy and the propagation of further diversity. "It implies...voluntary inaction on the part of the dominant group."⁶ Such a situation could change dramatically at a moment's notice,

⁴ Elton, "Persecution and Toleration" in Studies in Church History Vol.21, (ed. W. Sheils, Ecclesiastical History Society, 1984), p.163.

⁵ Jordan, The Development of Religious Toleration in England, p.17.

⁶ Ibid.

and the options of coercion or outright force always lay very definitely with the presiding authority; it was merely that they chose not to exercise them at that particular time.

Toleration of religious diversity also often only applied given very specific circumstances, and virtually nobody in sixteenth century England would have considered granting it to everybody as a matter of course. When Thomas More wrote his famous Utopia in 1516 (supposedly a shining example of religious toleration in a fictional land), that toleration depended very definitely on the assumption that the real truth of God's will had not yet been revealed. Thus conversion to any "faith" was perfectly acceptable - as long as only reasoned argument, not force or coercion prevailed - as it was impossible to tell which "faith" was the correct one.⁷ Other reasons for this policy were because without it (toleration) eternal hatred and wrangling would result, and also because it was also possible that God may actually prefer various forms of worship - each suiting a particular group of people and thus ensuring that God is at least being worshipped in some fashion or other by all people.⁸ This attitude was not intended to be a permanent state of affairs; toleration only existing until God's will had been revealed in Utopia, thus making its continuation not only unnecessary, but also

⁷ More, Utopia, p.221.

⁸ Ibid.

dangerous, as it would inevitably result in civil strife, which was utterly forbidden there.

Although this may convey the appearance that Thomas More would be inclined to be tolerant towards diversity in religious opinions, nothing could be further from the truth. More became convinced that 'heresy and sedition were akin to each other and that heresy, or at least the Lutheran variety, was also inherently violent'.⁹ Their teaching and living were all set on beastly concupiscence and amounted to the complete opposite of the old doctrine of the Church, for which God had performed innumerable miracles and preserved in the correct faith.¹⁰ The head of the heretics was none other than the Anti-Christ, for whom heretics were the forerunners,¹¹ and were so stubborn that after a while one may as well preach to a post as reason with them.¹²

Though More appeared to relish his piecemeal rebuttal of Lutheranism in his works, it is possible that he at first undertook the task with some reluctance. His Responsio ad Lutheram of 1525 was never publicly acknowledged as his, and was written under a pseudonym.¹³ The work was a response to Luther's attack on King Henry's

⁹ Fox, Thomas More: History and Providence, p.139.

¹⁰ More, A Dialogue Concerning Heresies, p.435.

¹¹ Ibid., p.434.

¹² Ibid., p.433.

¹³ Fox, Thomas More: History and Providence, p.129.

Assertio Septem Sacramentorum of 1520, and he may have been obliged to undertake this task because of his position at Court. In his Letter to Bugenhagen of 1526 he stated that he did not consider himself qualified to be involved in such a business; he was not a theologian, nor a person to whom the question of heresy pertained. He was also determined not to be contaminated with the disease, and had no wish to be embroiled in a polemic.¹⁴ Part of More's verbal violence in the Responsio may also have been because he felt obliged to return Luther's abuse in kind in defence of the King's arguments and dignity, and quietly resented being obliged to do so because of his position.¹⁵

More remained a consistent advocator of persecuting heretics utterly, despite his admission in his Dialogue of 1529 that Christ and the early Church had neither advocated nor practised such repression.¹⁶ "...Cryst so farre abhorred all such vyolence that he wolde not any of his flocke sholde fyght in any wyse neyther in the defence of them selfe or any other not so moche as in the defence of Cryst hymselfe...."¹⁷ Persecution was acceptable because it stemmed from a concern for the spiritual welfare of humanity and for peace among the King's subjects. If left,

¹⁴ Ibid., p.126.

¹⁵ Ibid., p.133.

¹⁶ Jordan, The Development of Religious Toleration in England, p.46.
See also, More, The Confutation of Tyndale's Answer, p.791.

¹⁷ More, A Dialogue Concerning Heresies, p.406.

or treated leniently heresy would only spread and be harder to eradicate as time went on. He cited the age of St. Augustine as authority on this point - heresy had raged at that time and if it had been acceptable to suppress it then, it was acceptable to do so now. "...that holy man saynt Austyn whiche longe had with grete pacyens borne and suffered theyr malyce onely wrytynge and prechyng in the reprove of theyr errours and had not onely done theym no temporall harme but also had letted and resysted other that wolde have done it dydde yet at the laste for the peace of good people both suffer and exhorte the counte Bonyface and other to repressse them with force and fere them with bodyly punyshment. Which maner of doynge holy saynt Hyerome and other vertuous fathers have in other placys allowed".¹⁸ It was the highest duty of a Christian ruler to maintain and foster true religion, and the political consequences of not doing so left the realm in great danger of destruction through sedition, insurrection and open war.¹⁹ These dire results could be avoided by acting swiftly and vigorously. Heretics must be persecuted also because they pursue their ends in violent ways (as evidenced by events in Europe) and left the rulers of nations with no alternative but to enforce executions to preserve peace and the faith among

¹⁸ Ibid., p.409.

¹⁹ Jordan, The Development of Religious Toleration in England, p.46.

people.²⁰ More never expressed any doubt regarding the practice of burning, although he maintained that the clergy could not be held responsible as they merely handed over the excommunicated heretic to the secular arm to suffer according to the secular laws of the realm.²¹ For More, a relapsed offender, if burned, is saved from perjuring himself yet again, as the fire that destroys his body purifies and saves his soul, enabling the condemned to die a Christian rather than a heretic.²² If More's attitude seemed particularly violent it was because, as he saw it, the heretic had been given every opportunity to recant and profess the truth and had deliberately rejected it.²³ As More remarked in his Dialogue, such violent measures may not have been wholly necessary if heretics had not first been so violent towards good Catholic folk.²⁴ The death penalty had only been introduced, according to More, because earlier penalties throughout history, such as reproving, condemnation, excommunication and fines had not halted the violence begun by heretics.²⁵ It was useless to attempt some kind of compromise or covenant with them, as it would only harm Christianity. No more souls would be won

²⁰ Elton, "Persecution and Toleration" in Studies in Church History, Vol.21, p.168.

²¹ Ibid., p.189.

²² Ibid., p.170.

²³ Ibid., p.183.

²⁴ More, A Dialogue Concerning Heresies, p.13.

²⁵ Ibid., p.467.

for Christ, some may only be won again, though given the nature of a heretic, More considered that unlikely.²⁶

One of the most significant illustrations of More's attitudes towards heretics occurred with the trial and execution of Thomas Bilney. Bilney was burned outside Norwich on 17 August 1531, having already recanted and abjured on an earlier occasion in 1527 which resulted in such a black depression that his friends, including Latimer, feared to leave him alone. In 1531 he announced that he was 'going up to Jerusalem', following Christ's example. He preached to groups throughout his native Norfolk (where he was not licensed to preach) and distributed banned books such as Tyndale's New Testament and The Obedience of a Christian Man.²⁷ As it was impossible to abjure twice Bilney was clearly courting martyrdom. He was a popular figure though, and exemplified the austere and godly ideal which the ordinary priests and monks failed to match.²⁸

The controversy that aroused More's interest was centred on what happened (or did not happen) at the execution. Bilney had been handed, to read aloud at the stake, a list of his errors to which he was supposed to make the appropriate recantations. It was handed to him by Thomas Pelles, the Bishop of Norwich's chancellor, and

²⁶ Ibid., p.408.

²⁷ Marius, Thomas More, (Fount Paperbacks, 1986), p.396.

²⁸ Ibid., p.397.

there was great dispute over what was on it and whether Bilney read it aloud or not.²⁹ Bilney had appealed to his King as Supreme Head at his trial, and such an appeal removed him from ecclesiastical jurisdiction, but Pelles had decided against it and had the execution carried out, despite the fact that Edward Reed, the mayor, was willing to carry the appeal through. If the King was the Supreme Head of the Church (which, according to statute, he was not at this point), did a sheriff have the right to burn a heretic because the clergy deemed him worthy of it? And what of Bilney's all-important last words - did he recant as some suggested and die according to the Catholic faith or not? Foxe believed he stayed firm and More believed he recanted, thereby proving by his death the efficacy of burning heretics. This outcry led to More instituting a Star Chamber inquiry into the dispute, without waiting for a bill of complaint or any other information - a highly irregular act. More wanted it known that the most prominent martyr among heretics had returned to the Catholic faith at the end.³⁰ Everything hinged upon Bilney's final words however, which witnesses proved greatly confused over.

More interrogated both Pelles and Reed to get to the 'truth', to such an extent that both suffered amnesia under

²⁹ Calendar of Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII, Vol.5, pp.241-2 (Item 522); pp.256-7 (Item 560) and p.187 (Item 372).

³⁰ Marius, Thomas More, p.397.

the strain.³¹ More's final version of events occurred in his 1532 Confutation in which he had Bilney recanting an extravagant list of heresies, begging absolution and to receive the sacrament in the form of bread (the traditional Catholic way) and piteously grieving at his errors.³² It is impossible to know what exactly happened. Bilney thought himself a heretic and courted death, More certainly thought him well burned, but Bilney's beliefs were vague and his trial and execution surrounded by confusion.

However More decided to use the whole confused business to defend the clergy and to prove that the tried and true way of dealing with heretics was still the best.³³ Bilney's recantations became a triumph for the Catholic Church. The most attractive and influential among dissidents had been brought back to the true Church, the shock of the flames having convinced him of his errors. The efficacy of the fire had been proved yet again, as the stake - an agent of blessed redemption - purged away the corrupting poison that might, nay would infect others and saved the soul of the condemned man also. Incredibly More even claimed the flames had made Bilney a saint (something Bilney would doubtless have cringed at) and believed Bilney had suffered purgatory in the fire therefore gaining a straight path to heaven where he was even now praying for

³¹ Letters and Papers, Vol.5, pp.263-4 (Item 569).

³² More, The Confutation of Tyndale's Answer, pp.23-4.

³³ Marius, Thomas More, p.401.

the repentance of all who had been infected by his false preaching.³⁴

This was an interesting point. More held a firm belief that a violent death endured with a composed mind, and a heart committed to the old Church was a doorway straight to heaven, and while he would have need of that belief later, its application to Bilney was somewhat inappropriate. More was attempting to prove the righteousness of the old ways where an independent Church carried out God's judgements and the secular authority acted in proper subordination and obedience, and executed the judgement of the clerics. Bilney's death thus confirmed centuries of Church practice and secular conformity to the Church's just judgements.³⁵

More was undoubtedly the dynamic behind the unrelenting war against heretics, of the late 1520's and early 1530's, and was not indisposed to using all the legal powers of his office in this, but probably the only single man who could have utterly thwarted his campaign did so. In his ceaseless search for support regarding his 'great matter', Henry VIII began flirting with the very heretics whom More was trying to destroy.³⁶ Certainly the King probably held sympathetic views towards some of Luther's ideas, Chapuys declared the King believed much of what

³⁴ More, Confutation of Tyndale's Answer, p.25.

³⁵ Marius, Thomas More, p.401.

³⁶ Ibid., p.386.

Luther said to be true - especially the attacks on the clergy, the divine commission of the godly prince to reform the church in their realm³⁷ whether the Pope agreed or not, and the duty to resist papal demands and protect the people from papal wickedness. Henry was no tolerator of Lutherans though, especially in 1530, but his desperation to obtain support for the divorce led him to accept support from whatever quarter it may come. His efforts were not wholly successful. In the fall of 1530 Stephen Vaughan, a former spy for Cromwell and More regarding English heretics in Antwerp, attempted to contact Tyndale on the King's behalf.³⁸ But Tyndale was strongly opposed to the divorce and this little episode ended with the King being outraged by Tyndale's Practice of Prelates and issuing public edits against it - a sure sign to the public that this amounted to a jolly good read.

Between the mid-1530's and the reign of Mary (1553-8) a policy of persecution was only revived occasionally, but it was still a domestic policy that was considered valid and acceptable if circumstances warranted such action. This opinion was strongly upheld even by Cranmer and Ridley when they themselves were facing such a fate in 1553-5, and each had had occasion to play heretic-hunter in his time. Needless to say they drew the line between executing 'true' heretics and executing those who were innocent and merely

³⁷ Ibid., p.387.

³⁸ Ibid., p.388.

upholding the true faith. The difference depended on how one defined 'orthodoxy', and occasions when generally opposing religious systems united against a sect they both defined as heresy - as with Anabaptism - were rare. It was a general tendency on all sides to view one's own beliefs as being of the true faith, and differing beliefs as heresy.

In 1533, as Archbishop of Canterbury, Cranmer had excommunicated John Frith for questioning the doctrine of the Real Presence and had handed him over to the secular authorities to be burned.³⁹ Cranmer, and Ridley also, were honestly opposed to extremism and Anabaptism, and at the time Cranmer persuaded himself that the heretics he condemned were no better than Anabaptists, and he was also acting in obedience to his King, which was vitally important.⁴⁰

In a treatise written about December 1553 Ridley addressed the problem of criticizing the current Catholic persecution of heretics when he himself had acted no differently towards the Anabaptists. Ridley explained that he had no objection to the Church persecuting heretics, but he condemned papists persecuting as heretics those who clearly believed in the truth. Heretics, indeed, should be punished at the stake, but he personally resented being

³⁹ Ridley, Nicholas Ridley, p.51.

⁴⁰ Ibid., p.54.

punished in this manner when he was innocent.⁴¹ (No doubt John Frith and many others would have agreed with him here, had they not met the same fate for the same reason.) It was acceptable in Ridley's view to punish those who would not willingly obey God's laws, but not the man who refused to obey laws that are contrary to God's word.⁴² Christ, after all, had been accused of sedition. Likewise both Hooper, another martyr under Mary, and Becon advocated that heretics should be treated the same as idolaters and false prophets because they blaspheme the living God. Though it was advocated that they should be dealt with gently at first to see if they could be corrected, they could be executed if they refused to repent.⁴³

After the death of Edward VI in July 1553 persecution was expected by the Protestants, and even hoped for by some. In 1530 Latimer had told Henry that persecution was the hallmark of the true Church, "...where you see persecution, there is the gospel and there is the truth...."⁴⁴ When Mary succeeded Edward, Bucer also told Calvin that the English Church was in a perilous condition

⁴¹ "Second Conference between Ridley and Latimer in Prison" from Works of Nicholas Ridley (edited for The Parker Society by H. Christmas, Cambridge University Press, 1841), pp.119-20.

⁴² Ridley, Nicholas Ridley, p.326.

⁴³ Jordan, The Development of Religious Toleration in England, pp.52-3.

⁴⁴ Sermons and Remains of Hugh Latimer (edited for The Parker Society by G. Corrie, Cambridge University Press, 1845), p.303.

and not only would persecution be a deserved chastisement for failure but also a purging fire and the means of confirming to men of passionate sincerity the validity of their election.⁴⁵

It was Mary I's determined intention to restore the Church in England to the legal and theological position of 1529, and over the course of her reign she fully intended to revise the medieval statutes against heresy, repeal parliamentary statutes altering the relationship between Church and State, reintroduce full papal authority and restore to the Church its Catholic doctrines and services.⁴⁶ Had England from primate to peasant reverted to Catholicism without so much as a whimper of discontent there is unlikely to have been any persecuting policy at all, for this was not her intention at the outset. However it was a policy she was willing to resort to if she found it necessary, and in this there was plenty of support from those who had fallen foul of the Protestants under Edward. Bonner, newly invested Bishop of London after Ridley, fully agreed with a policy of persecution dictated by love of God and charity - both of which demanded the correction of offenders.⁴⁷ In this he echoed the sentiments of More half a century earlier - in that it was necessary to cut away

⁴⁵ Original Letters relative to the English Reformation, (edited for The Parker Society by H. Robinson, Cambridge University Press, 1846), Vol.2, p.546.

⁴⁶ English Reformation Revised, (ed. C. Haigh, Cambridge University Press, 1987), p.159.

⁴⁷ Ibid., p.160.

the bad flesh for the good of the whole body - a sort of necessary social surgery.

Mary herself viewed Protestantism with a mixture of anger and incomprehension; she believed that the majority of her subjects wanted and expected the restoration of the true Church, and that her accession was a miracle wrought by God to effect this. Heretics were clearly the devil's agents who ensnared innocent and ignorant souls, confusing the faithful with their false and conflicting doctrines. Those who called themselves reformers were no more than cloak and dagger conspirators; unscrupulous men using clever tactics and religious reform as a pretext with which to seize power for their own aims.⁴⁸ Mary had earlier shown a degree of tolerance regarding the complex religious climate - another sign that she did not intend to persecute if it proved unnecessary, and certainly not out of pure vengeance against the populace for having 'supported' the Protestants in power. This was also based on the belief that coercion to re-adopt Catholicism would not be necessary. The heretics of reform had, after all, been proven wrong merely by their overthrow from power.⁴⁹ Pole shared these views of his monarch, and was equally determined to restore the Catholic faith completely in England. As has been shown he also believed the faithful had been deceived into error, and sought to redress this by

⁴⁸ Loades, Mary Tudor, p.152.

⁴⁹ Ibid., p.153.

re-imposing order and faith through the authority, discipline and conformity of the Church. Pole, however, was also motivated by other, secular, concerns, and these also influenced him regarding a policy of persecution.

Pole possessed an aristocratic contempt for the low-born and half-educated Protestant extremists who comprised many of his victims. In addition he despised Cranmer and the other bishops who had done Henry VIII's bidding. In 1538, while on a papal mission, Pole had tried to summon support from Emperor Charles V and King Francis of France against England, and although this mission, like an earlier one, ended in failure, it had dreadful repercussions. This latest evidence of treachery on Pole's part led Henry to eliminate once and for all the legitimate Plantagenet line in England, the White Rose nobility of Courtenays, Nevilles and Poles. Lady Margaret Pole was under additional suspicion for being very close to both Catherine of Aragon and her daughter Mary, and had also been implicated in the affair of the Maid of Kent.⁵⁰ Though his family disassociated themselves from Pole's behaviour, this was not enough to save them. His elder brother was beheaded on December 1538, his young cousin simply disappeared in the Tower, and his aged mother, Lady Margaret, Countess of Salisbury was also beheaded.⁵¹ Small wonder Pole considered Henry a monster and felt little mercy towards his former

⁵⁰ Scarisbrick, Henry VIII, p.472.

⁵¹ Ibid., p.473.

servants such as Cranmer. Pole wished to discredit the former Archbishop of Canterbury completely, and this goes some way to explain the later intention of Pole and Mary to force Cranmer to repent, but still have him executed.⁵²

Pole was, however, totally unprepared for the determined religious resistance on the scale he encountered under Mary. Like both Bonner and Mary, he expected only a few deaths to illustrate the futility of turning away from the Church.⁵³ His final intention was not the burning of bodies or the winning of souls, but the recreation of a quiet, orderly, harmonious unity of order and discipline throughout the realm.⁵⁴

The Marian regime believed that the situation they faced in dealing with the Protestant 'heretics' could be successfully dealt with by using the traditional methods of the late medieval church - trial and execution - which had proved so effective against the Lollards. However, there were vital differences between Lollardy and Protestantism, and the failure on the part of the government to recognize these and alter their techniques accordingly greatly complicated their task.

Firstly Lollardy had always been considered a heresy, a break-away faction from the orthodox Catholic faith, and its members had never seen themselves as other than

⁵² Edwards, Christian England Vol.II, p.66.

⁵³ Pogson, "Reginald Pole and the priorities of government...." Historical Journal, Vol.18, 1975, p.10.

⁵⁴ Ibid., p.11.

adherents to a small, persecuted group.⁵⁵ The Protestants, by contrast had attained not only widespread acceptance and sympathy for their beliefs, but also legitimacy during the reign of Edward VI, a legitimacy which was further reflected by Protestant states on the Continent. They therefore saw themselves as members of the true national church who were temporarily out of power,⁵⁶ a situation that they firmly expected to be only temporary. Secondly, the Protestants were expert manipulators of that particularly effective weapon - the printing press. Compared to the stream of literature that arose both in England and abroad in their defence, the Catholic authorities offered only a token response. The government had "...an incomplete awareness of the difference printing had made in matters where public opinion was substantially involved."⁵⁷

The government did attempt to stem the flow of hostile printing, the most zealous Protestant printers were forced out of business, and all works critical of the Catholic faith or advocating Protestant beliefs were banned. As always it was extremely difficult to stop the influx from abroad. Hostile writers there were aplenty, and not all expounding opinions against the Real Presence or denying veneration of the saints. They were also intent on embarrassing certain public figures for their apparent

⁵⁵ Martin, Religious Radicals in Tudor England, (The Hambledon Press, 1989), p.116.

⁵⁶ Ibid.

⁵⁷ Ibid., p.107.

changes of heart on vital matters. Early in Mary's reign Gardiner's 1535 attack on papal authority De Vera Obedientia was reprinted. Around February 1555 another volume appeared, anonymously, containing, among others a sermon produced by Tunstal (now the Bishop of Durham) before Henry VIII on Palm Sunday 1539 violently attacking both the Pope and Reginald (Cardinal) Pole.⁵⁸

The government did not always respond in kind to this. The recantations of Cranmer were among the few to be published, even the trial at Oxford of Cranmer, Latimer and Ridley, was not used for propaganda purposes, despite the fact that the poor performances of Cranmer and Latimer⁵⁹ hardly worked in Protestantism's favour. Mary's reign did, however, see the first publication of More's works, and a good many sermons were published.⁶⁰ The strong impression here is that the Marian regime did not appreciate the extent to which it was required to "sell itself" to the people. The Church's position was not that of twenty years earlier when More was writing, when the established Church was under fire from new beliefs against which it was merely required to defend itself. The Church of Mary's reign was a restored Church, and the recent legitimacy of the Protestant faith gave it an authority and power which no

⁵⁸ Ibid., p.113. See also Foxe, Acts and Monuments Vol.5 regarding an earlier sermon by Tunstal in 1534 against papal supremacy, wherein he also referred to Pole as a traitor, pp.80-87.

⁵⁹ Ibid., p.114.

⁶⁰ Ibid., p.111.

'heresy' had ever possessed. Thus, despite the fact that neither Mary nor Pole would have considered the common people worthy of proof (simple dumb sheep as they were) the Catholic faith was required to prove itself - its legitimacy and validity as the true Church - in order to win the obedience and unity of the faithful. A policy of persecution, however effective, was simply insufficient, justification was also required.

Public opinion was both ambivalent and unpredictable, but the martyrs gained great credit for their steadfastness, and although Catholic propagandists like Miles Huggarde represented them as madmen casting themselves into the fire, this was seldom the case. English Protestantism had taken root far too firmly to be stamped out⁶¹ by persecution quickly, but martyrs were no substitute for living, preaching leaders, and those in exile were a mixed blessing.⁶² The exiles did prove exceptionally handy though in that they influenced a spate of propaganda - a veritable war which the Protestants won hands down. A plethora of letters, pamphlets and articles, impeded only slightly by imprisonment, poured forth and were often smuggled abroad for publication.⁶³

For much of the time the only fixed government countering of this remained the official sentences passed

⁶¹ Loades, Mary Tudor, p.334.

⁶² Ibid., p.335.

⁶³ Loades, Oxford Martyrs, p.190.

against people and their works - which paled into insignificance against the highly colourful treatises of the Protestants. Cranmer, Ridley and Latimer while imprisoned in Oxford never ceased to communicate with or exercise control over their followers, and attempts to silence them were both inefficient and infrequent.⁶⁴ This communication and others' executions aided their own resolution, and better prepared them regarding the theological issues on which they may be tried. The Protestants also used their persecution as evidence that they constituted the true Church. There could be no half-way point: either they were malefactors deservedly suffering the penalties of valid laws, or saints whose afflictions condemned the entire system oppressing them.⁶⁵ By the summer of 1555 it was no longer certain that they were the former and disturbingly possible that they could be the latter.

⁶⁴ Ibid.

⁶⁵ Ibid., p.162.

CHAPTER FOUR

LAWS PROCEDURES AND PROBLEMS DURING THE

REIGN OF HENRY VIII

"...your Statute was like a two-edged sword, for he who approved it would ruin his soul, and he who contradicted it, his body...."

Thomas More, 6 July 1535 from
Letters and Papers of Henry VIII
Vol.8, p.394 (item 996)

Having established that it was necessary to repress heresy in order to save the realm from internal division and hostility, this chapter looks at the legal structures that were implemented in order to achieve that end. It also examines the problems in the legal structure that aroused severe criticism and outlines the changes Henry VIII made in order to redress these areas. Finally, it deals with the laws implemented in the later years of Henry's reign in order to maintain and uphold the now-established system for repressing heresy.

I. THE STATE OF THE REALM

The period in question (c 1520-1558) saw a series of legal changes that had serious and long-reaching consequences for the state of religion in England. During the 1530's especially this profoundly affected exactly what constituted orthodoxy and, by contrast, what was therefore left as heresy. This problem ran parallel to the

continuing need to maintain religious order, unity, obedience and conformity while the ecclesiastical and doctrinal changes were implemented - a task of considerable difficulty.

Until the legal changes of the 1530's, the major laws governing heresy were the statutes of 1382, 1401, and 1414 which in their day had been implemented to deal with the indigenous heresy of Lollardy. The 1382 Act¹ was largely against heretical preaching throughout the realm, in churches and other public places, and provided for the King's commissioners to arrest and imprison such preachers until they recanted. The 1401 law² was specifically against Lollardy, and went much further than the earlier Statues. Among other allegations the sect was charged with inciting sedition and insurrection among people, and of subverting the Catholic faith and the Church's doctrines, a charge that would be repeatedly laid against heretics of all kinds. The Act forbade unlicensed preaching and any verbal or written support of Lollardy and any such books already in existence were to be surrendered. The Act also provided for diocesan officials to arrest and imprison offenders until they abjured their opinions. It went far beyond the 1382 Statute, however, in that it firmly established a death penalty by burning for those who failed to recant, or who relapsed after having done so. The final act against

¹ Statues of The Realm, Vol.II, 5.Ric.II St.2, c.5.

² Ibid., Vol.II, 2 Hen IV c 15.

Lollardy was that of 1414,³ which brought the Chancellor the Justices of the King's bench, and judges into the fight against the heresy, assisting the Ordinaries and Commissionaires in arresting Lollards. It also stated emphatically that the conisance of heresy belonged to the spiritual judges, not the secular, although plenty of secular officials were included in assistance. Over all the definition of heresy under these acts was very loose indeed. It was basically any belief that could be labelled as Lollard and which may incite division or hostility; no specific beliefs or opinions were outlined, and aside from the allegation of inciting sedition and undermining Catholicism in the 1401 statute, no other reason was given as to what made Lollardy heretical.

In addition to the very stringent laws emanating from parliament that dealt with heresy, there were also the royal proclamations that were issued by King and council that could also be used to counter the spread of, and suppress established heresy. These were inferior to statutes and common law,⁴ however, in that they could not touch life nor member, and could not create felonies or treasons, but they could create offenses with specific penalties. There was also a general problem of enforcing proclamations, as they held no force in common law courts,

³ Ibid., Vol.II, 2 Hen V, St.1, c.7.

⁴ This was redressed in 1539 by the statute 31 Hen VIII c8 ordering that proclamations were to be obeyed as if they were acts of parliament.
See The Tudor Constitution, pp.27-30.

and therefore it was left to Council, sitting as court in the Star Chamber, to effect and enforce them.⁵ As a large number of measures against heresy were issued in the form of proclamation rather than as a statute this goes some way to explaining the difficulty the government experienced in combatting heresy, especially during the 1530's prior to the 1539 Act of Six Articles, a major religious statement and a rare positive definition of heresy.

Despite the odd legal hitch in enforcement, however, there was a concerted effort to deal with the problem. (Lollardy had been a proven perennial problem for well over a century and had undergone a relative revival around the turn of the century and the incoming continental heresies only served to exacerbate the existing difficulties.) A month before Luther was officially excommunicated by Leo X in June 1520 Erasmus reported to Oecolampadius in Basel⁶ that his books were to be burned in England. This was later carried out in several parts of the realm, including at Cambridge, which was overseen by Wolsey himself. In October 1521 the King also issued a proclamation⁷ ordering aid to the Bishop of Lincoln against heretics, of which there was no small number in the diocese, leading to great "discomfort" for the bishop and his officers. The

⁵ The Tudor Constitution, p.22.

⁶ Letters and Papers Henry VIII Vol.3/1 p.284, (item 810).

⁷ Tudor Royal Proclamations Vol.I, p.133 (edited by P. Hughes and J. Larkin. Yale University Press, 1964), p.133.

proclamation aimed to protect the bishop and officers from suffering any bodily harm or injury by heretics in their execution of justice according to the Church's law, and commended all people (mayors, sheriffs, bailiffs, constables, ministers and ordinary subjects) to aid the bishop and his officers in the execution of justice.⁸ This command would be disobeyed or failed on at one's utmost peril. This was to be an oft-repeated command and threat, an indication perhaps that others did not perceive the problem to be as serious or dangerous as the King and bishops did.

Of all the possible heresies in England, the one that caused the most concern right up into the latter 1530's was the old Lollardy, as it was indigenous to England (unlike Lutheranism) and had been firmly established in areas such as Kent and Essex for nearly 200 years. Something that could survive intermittent persecution in an underground movement for that length of time was certain to arouse concern. In 1523 Bishop Tunstall had written to Erasmus, "It is no question of pernicious novelty and it is only that new arms are being added to the great crowd of Wycliffe heresies."⁹ Five years later, in 1528, Tunstall licensed Thomas More to study heretical books¹⁰ which united

⁸ Ibid., p.134.

⁹ Dickens "Heresy and the Origins of English Protestantism", in Britain and the Netherlands, Vol.II, p.65.

¹⁰ Letters and Papers, Henry VIII, IV/2, p.1788 (item 4028).

Lollardy and Lutheranism firmly as a single adversary, and stated, "There have been found certain children of iniquity who are endeavouring to bring into our land the old and accursed Wycliffe heresy, and along with it the Lutheran heresy, foster-daughter of Wycliffes."¹¹ More's task was clearly to expose and emphasise the error of heresy to the ordinary Englishmen. This major concern was to show that the Lutherans (a name that was applied across the board to all manner of heretics - Lollards, Lutherans etc.) misunderstood the nature of the human situation and God's ways, and also to prove that the orthodox beliefs and practices embodied the correct perception and interpretation of these factors.¹²

More's activities in this area, especially after he became Chancellor the following year, were markedly different from the manner in which Cardinal Wolsley had approached the problem. Every known Protestant in England owed his life and career to the Cardinal's leniency and good humour in dealing with accused heretics. Many offenders were handled mercifully with exile or abjuration being the rule - execution the very rare exception.¹³ (Such kindness - or lack of interest perhaps - was not always appreciated, as the Protestants accused Wolsey of

¹¹ Dickens, The English Reformation, (B.T. Batsford Ltd, 1964), p.37.

¹² Fox, Thomas More: History and Providence, p.147.

¹³ Clebsch, England's Earliest Protestants 1520-1535, (Yale University Press, 1964), p.277.

symbolizing ecclesiastical abuse which, if it was wholly true, had most certainly worked in their favour.) All this altered when More took over and persecution and execution became commonplace. Wolsey had left no avenue unexplored to gain a recantation - regardless of his personal reservations, but with More proceedings ran swiftly towards condemnation and burning, a complete reversal of Wolsey's easy manner with dissenters.¹⁴

The difference between More and Wolsey could be explained by the fact that More was dealing with theologically trained heretics such as Bilney and Frith. These differed greatly from the average plough-hand or ale-house orator whose error may have stemmed more from genuine ignorance or a misinterpretation of Scriptures than from careful and deliberate theological investigations. The latter were of a far more serious and threatening nature, and required far firmer treatment.

II. THE PROCEDURES INVOLVING HERESY

The ecclesiastical courts held a vague but wide jurisdiction over religious beliefs and morals of both the clergy and the laity. Aside from being concerned with the detection and punishment of heresy among the laity they were also involved with lesser offenses against conformity

¹⁴

Ibid.

in doctrine and ritual.¹⁵ The State saw a duty to enforce obedience to God's laws and did so through the ecclesiastical courts in which heresy was the most grievous offence, amounting to high treason against the Church. It was far more serious to doubt Christ or God than to doubt the King's right to loyalty and obedience, as this placed one not merely outside the law, but outside society as well. Doubting the Church was but a short step to doubting God.

The more specific areas of ecclesiastical jurisdiction included: supervising affairs of the clergy, adjudicating in disputes between them, protecting the clergy in their relations with the laity, exercising jurisdiction over the laity regarding morals, and certain causes reserved from the secular courts. Under the latter areas were issues such as the neglect of performing religious duties, crimes of morally behaviour such as adultery, incontinence and other sexual offenses; and lesser offenses against conformity in doctrine and ritual such as riotous behaviour in Church, the contempt of clergy, attacks on ecclesiastics, and the enforcement of lay payments to the Church, especially tithes but also oblations and mortuary fees.¹⁶ The detection and punishment of heresy was one of the more vital functions, but the ecclesiastical courts also held vast jurisdiction over matrimonial and

¹⁵ Holdsworth, A History of English Law Vol.I, (Methuen & Co. Ltd. 3rd ed, 1922), p.616.

¹⁶ The Tudor Constitution, p.214.

testamentary affairs, and also over perjury and defamation - which during the sixteenth century came to be handled by the Star Chamber.

Up until the end of the Henrician Reformation (about 1540) the law administered was the canon law of Rome, after which the church courts did not seem to know quite what their law was.¹⁷ The courts aroused great dislike and even hatred among the laity - especially regarding heresy and the payment of tithes - and this fear and hostility was one influence on the widespread anticlericalism throughout England during the sixteenth century. Proceedings were conducted in Latin and were expensive - especially for those summoned to appear in courts outside their own diocese.¹⁸

Their punishments were also feared - although all, even conviction for heresy (as long as one had not relapsed) could be redeemed by acts of penance. A penalty could be as light as forbidding attendance at church until a fee had been paid or some such minor offence rectified, but the strictest penalties were reserved for the severest crime - heresy. Convicted of this crime, one was lucky to be commended to perform solemn public penance. Although not life threatening it was certainly designed to humiliate the convicted back into dutiful obedience. Public penance was often spread over two days - a 'double' penance, the

¹⁷ Ibid.

¹⁸ Ibid., p.215.

first of which took place in the local market and the second phase in the penitent's own church.¹⁹ The penance was required to be explained to the onlookers by the priest, penitent, or both. The penitent was usually dressed in a shirt and stood bare-headed and bare-footed, bearing a symbol of his potential fate by carrying a faggot of reeds.²⁰ The particulars of the heresy were outlined during a public sermon and sometimes the penitent threw heretical texts or unlawful translations of scripture into a fire. At the ceremony at the marketplace the penitent would often be beaten at the four corners, and during the part in the local church (to which he had to solemnly process carrying his faggot) he was required to offer a candle at the altar. This was followed by a period of imprisonment, or if the offence was considered less serious, by fasting or making a donation to charity. It was common for penitent heretics to be restricted to either their house or their parish, to report regularly to the diocesan authorities, and to be forbidden to leave the diocese without permission.²¹ This could result in a serious social stigma. It was common for a faggot to be embroidered on the penitent's clothes to mark them as a heretic: one John Hig of Cheshunt petitioned his bishop

¹⁹ Houlbooke, Church Courts and the People...., p.225.

²⁰ Davis, Heresy and Reform, p.6.

²¹ Houlbrooke, Church Courts and the People...., p.225.

for the removal of it as he could not obtain work²² while it remained; and a Southwork woman had the letter 'H' branded on her hand.²³

Heresy charges could only be tried before the ordinaries, i.e. the bishops and inquisitors, although diocesan officials could also act in this capacity.²⁴ England was quite peculiar in the fact that institutionalized torture was banned (despite the fact that it was used on occasions, one notable incident being that of Anne Askew in 1546). The general procedure was that charges would be laid before the accused, to which he would be exhorted to confess. If, despite interrogation and the testimony of witnesses, he refused he would then be excommunicated and handed over to the secular arm for burning. On the whole trials usually ended with abjuration the part of the accused, usually at the state of suspicion or conviction. A relapse was only considered to have occurred when the accused confessed twice at the latter stage of proceedings.

While less feared than the ultimate penalty of execution, excommunication was no empty punishment. At the very least it involved the deprivation of all church offices, and at the greater extreme cut the convicted off

²² Davis, Heresy and Reform..., p.6. The articles Hig abjured are listed in Letters and Papers Vol.4/2 p.1793 (Item 4038).

²³ Houlbrooke, Church Courts and the People..., p.225.

²⁴ Davis, Heresy and Reform..., p.6.

from the society of Christian men entirely. Both involved serious civil restrictions: one could not sue, give evidence before a court or receive any legacies. If the convicted refused to submit to the prescribed penance the ecclesiastical court signified his continuancy to the King in Chancery, resulting in a writ de excommunicato capiendo²⁵ being issued, which would have the guilty party imprisoned until he submitted.

III. PROBLEMS WITH PROCEDURES; THE CASE OF RICHARD HUNNE

Anti-clericalism was, by 1529, an old topic that had aroused discontent and hostility for much of Henry's reign. This could amount to hostility towards a particular individual priest and discontent with tithes and other church fees that seemed to be never-ending, or run to more serious abuses of clerical activities towards the laity. A classic example that just refused to be forgotten involved the death of a London merchant, Richard Hunne in 1514. Although this occurred before the particular period under study it involved factors and tensions that were still clearly in evidence years later, and as the particular debate would be re-opened in the 1530's - especially between Thomas More and Christopher St German, it deserves some attention here.

²⁵ Tanner, Tudor Constitutional Documents AD1485-1603, (Cambridge University Press, 1951), p.37.

Hunne's problems began in 1511 when he refused to pay a mortuary fee demanded by a priest, Thomas Duffeld, for burying Hunne's infant son. After a year Duffeld bought a suit against Hunne in the Archbishop's court at Lambeth, and in May 1512 Tunstal, acting as Archbishop Warham's chancellor, found in Duffeld's favour.²⁶ In 1513 Hunne brought another suit in the King's Bench against the priest and his legal advisors on the grounds that the previous action in the Church courts had been an invasion of the rights at common law. He also brought a separate charge against Duffeld's assistant priest - Henry Marshall - who had refused to conduct evensong in his presence in December 1512 because Hunne was 'accursed'. This had injured Hunne's credit with business associates, something he could ill-afford to have happen.

Hunne's actions aroused hostility in the clergy and with the Bishop of London, Richard Fitzjames, who was prepared to go to any lengths to defend ecclesiastical interests. On his orders Hunne was arrested, his home searched and several heretical books (including a Wycliffe Bible) seized. Hunne certainly held patent Lollard sympathies and believed in people's right to read the Scriptures in the vernacular. Heresy proceedings against him began on 2 December 1514 with an examination by Fitzjames at Fulham.²⁷ He was confined to the Lollard's

²⁶ Dickens, English Reformation, p.91.

²⁷ Ibid.

Tower in Old St. Pauls pending his trial, where he was discovered hanging on 4th December.²⁸ Although the Church staunchly maintained Hunne's death was suicide on the basis that he knew his suits would be lost and that he would be found guilty of heresy, his unexplained death necessitated a coroner's inquest (which the Church was unable to prevent), especially as the body displayed signs of strangulation before the neck had been broken.²⁹ The summoner Charles Joseph, and the jailor John Spalding were the main suspects,³⁰ and the Bishop's vicar-general, William Horsey, was also implicated. A lengthy examination culminated in February 1515 when a verdict of wilful murder was brought against Horsey, Joseph and Spalding.³¹

Although the three were indicted, ecclesiastical authorities prevented the case from coming to trial, which only convinced lay Londoners that the murder of Hunne had been committed out of revenge.³² The mood of the city was aptly summed up by the appeal Fitzjames made to Wolsey regarding Horsey. "For assured I am [that] if my

²⁸ Ibid., p.92.

²⁹ The inquest into Hunn's death is reproduced in Foxe, Acts and Monuments Vol.4, pp.190-2, and the coroner's sentence on pp.196-7.

³⁰ Wunderli, "Pre-Reformation London Summoners and the Murder of Richard Hunne", in J.E.H. Vol.33, 1982 (Cambridge University Press, eds. P. Linehan and B. Bradshaw), p.217.

³¹ Elton, Reform and Reformation: England 1509-1558, (Edward Arnold, 1977), p.52.

³² Dickens, English Reformation, p.92.

chancellor be tried by any twelve men in London, they be so maliciously set in favour of heretical priority that they will cast and condemn my clerk though he were as innocent as Abel.³³

Fitzjames had good reason to be concerned. A court presided over by him on 16th December 1514 had pronounced Hunne a contumacious heretic and on the 20th his exhumed corpse was handed over to the authorities to be burned at Smithfield. This led to an uproar in London and the judgement also reduced his family to paupers as it meant all his property immediately went to the Crown.³⁴

Hunne was no novice with his involvement in anti-clericalism however. In 1510-11 he had had a running quarrel with the Church over his public defence of a confessed heretic.³⁵ While his heresy was debatable his anti-clericalism was clearly obvious. His counter attack in the winter of 1512 of a praemunire suit may have been because he feared he was going to face charges of heresy and therefore raised the broader question of the validity of ecclesiastical jurisdiction before these charges were laid.³⁶ He was certainly unafraid of controversy; the Church from which Hunne had been barred by Henry Marshall was not Hunne's parish church, but one on the other side of

³³ Letters and Papers Vol.II/1 p.1 (Item 2).

³⁴ Ibid., p.92.

³⁵ Wunderli, J.E.H. Vol.33, 1982, p.217.

³⁶ Ibid., p.220.

London, to which Hunne had evidently gone to aggravate an old enemy.³⁷

Hunne was clearly a thorn in the ecclesiastical side that the likes of Horsey could well have done without, as he was in danger of becoming a popular hero, or even worse, a dangerous martyr. Despite the fervent defence of the clergy by More in later years, the evidence did indeed imply murder, and it is interesting that Henry VIII later ordered Horsey to provide recompense for Hunne's daughter and her husband for, despite Horsey's pardon for murder, he had wasted Hunne's goods "which were of no little value".³⁸ This seriously tarnished the Church's reputation, especially regarding the fate of men accused of such crimes. Although Hunne's case was no isolated incident, nor the furore that followed an unprecedented upsurge in anti-clericalism, it provided a single particular instance that embedded the most hated aspects of ecclesiastic privilege, and raised the question of the entire handling of heretics and all the potential abuses therein. It would be fifteen years before these issues would be addressed again with a view to resolving them, but Hunne's case is extremely important regarding the fate of accused heretics under ecclesiastical jurisdiction.

The area of judicial handling of heretics (or those accused of heresy) was one that concerned Thomas More

³⁷ Ibid., p.218.

³⁸ Letters and Papers Hen.VIII, Vol.II/1, p.2(3).

greatly in his role as chief heretic-hunter in the late 1520's and early 1530s. More held very firm views on dealing with these theological low-life. In his opinion the crime of heresy was more serious even than treason, a belief he shared with the late Queen Mary. A heretic was a person who had betrayed God in all laws, both spiritual and temporal.³⁹ In his Debellacyon of 1533 More urged that a heretic on trial should not know who his accusers were and that there should be no communication between the heretic and Christians beyond that necessary to execute justice lest "healthy" Christians become infected by the seditious poison. "And mych lesse wolde I graunte to/putte awaye the suyte agaynst heretikes ex officio, into his [St. German's] device of onely open accusers, for the harme yt wold undowtedly dayly grewe, by the encrease of heretykes and hynderaunce of the catholyke fayth..."⁴⁰ There was little point in showing any mercy as in all probability there was no hope of a 'cure', in which case it was best to just remove the 'infection' entirely.⁴¹

The King and his Chancellor were at odds with one another in one respect. While both shared the common aim of stamping out heresy, their methods appear to have been quite different. Henry seemed to be trying to eradicate

³⁹ Jordan, The Development of Religious Toleration in England, p.44.

⁴⁰ More, The Rebellion of Salem & Bizance, pp.97-8.

⁴¹ Jordan, The Development of Religious Toleration in England, p.45.

heresy by reforming the Church, by bringing it more under his direct control so he could create a more flexible faith which could accommodate a greater number of people. While he remained very conservative on some points (he was never likely to allow the denial of transubstantiation or clerical marriage) he was willing to alter the faith substantially regarding adiaphora such as feast and fast days, traditional customs and rituals that could not be argued as utterly necessary for salvation. More, on the other hand, responded by restricting orthodoxy to the narrowest possible definition, thus eliminating wayward souls from its bounds and leaving them openly as heretics.

More was also willing to accept hearsay as evidence against offenders. Canon law permitted the trial of heretics on suspicion without witnesses, as decreed by General Council of the Church⁴², and if one altered the ecclesiastical system to permit the administration of common law rules of accusation and evidence, the streets would soon be swarming with heretics. Any hint of clerical reform could therefore prove exceedingly dangerous, a belief that placed More at odds with his King. If there was a danger that heretics may exploit the prevailing anti-clerical atmosphere, then the real extent of it had to be disguised. If any legal or ecclesiastical reforms may assist heretics, then it would be better to argue that they

⁴² Fox and Guy, Reassessing the Henrician Age: Humanism, Politics and Reform 1500-1550, (Basil Blackwell, 1986), p.106.

were unnecessary. If being fair to opponents entailed according them some measure of credibility then they had to be painted as entirely sinister and evil.⁴³

It was also necessary to argue that the clergy were not being as nasty as people were implying in their handling of heresy cases. More claimed that the clergy did not try to punish people by death, and that the order of spiritual law - good, reasonable, piteous and charitable - did not seek any man's death. The Church always offered a second chance to first offenders via abjuration and penance, after which they would again be received into the favour of Christ's Church. It is only at the second offence when one's attitudes have been proven to be perilous among men that the temporal authorities are informed after his excommunication from Christ's flock. The Church will not lightly receive him again and it is only in his death and with that token of repentance that the condemned is absolved and received again.⁴⁴ The Church did not exhort the secular authorities to punish heretics, but they pitied such people so greatly that they preferred other men to punish his body than that he be allowed to kill others' souls. This was the Church's official view, which was certainly more lenient than More's personal opinion.

⁴³ Fox, Thomas More: History and Providence, p.122.

⁴⁴ More, A Dialogue Concerning Heresies, p.410.

IV. THE NEED FOR CHANGE: CRITICISM AND REFORM

During these few years the need for clerical and ecclesiastical reform became extremely obvious in England, and even conservatives like More admitted such a fact, though there was little concord as to the best means of reforming the Church. The King himself was under no illusion that it was necessary. On 28 October 1529 he had a long discussion with the new Imperial Ambassador, Eustace Chapuys, in which he revealed many of his concerns regarding the state of the Church in England.

Henry stated he wished the Pope and Cardinals would set aside their vain pomp and ceremony and live according to the precepts of the Gospels and the Holy Fathers; if they had done so to a greater extent in the past there would not be so much discord, scandal and heresy in the present age. When Luther had attacked the vices and corruption of the clergy he was utterly correct and would have earned Henry's support had he not gone on to attack the sacraments as well. Although there was great heresy within Luther's works, there was a considerable amount of truth also - especially in this area. Thus the need for reform in the Church was obvious and it was the duty of both the Emperor to promote it and of Henry himself to do likewise within his domains. The latter belief was an interesting extension of imperial duty of looking after Christendom, and in 1529 Henry was greatly influenced by William Tyndale's work The Obedience of a Christian Man,

which expounded the rights and duties of Christian princes, especially the claim that princes had the right to the individual allegiance of their subjects, both body and soul.⁴⁵

Henry's views regarding Luther were considerably out of step with those of Catholic officialdom, with the English churchmen who branded it as heresy pure and simple and wished to have no more to do with it, and with Henry's own views expressed in his Assertio eight years earlier.⁴⁶ In his appreciation and recognition of clerical abuses, and of popular discontent with the alleged corruption of the Church he acknowledged a state of affairs that had existed in England for some time. The general atmosphere was one of considerable distrust and, on occasions, outright suspicion and hostility towards the clergy and ecclesiastical courts regarding heresy trials. This first came to light in the initial session of the Reformation Parliament in 1529.⁴⁷ There had been few complaints before that time because those who objected to the clerical abuses were liable to be branded as heretics, especially as the bishops often held high political office (such as Wolsey) where they could greatly influence the King. But as the King was now aware of the need to rectify certain clerical matters, such grievances could be addressed and resolved.

⁴⁵ Scarisbrick, Henry VIII, p.325.

⁴⁶ Scarisbrick, Henry VIII, p.324.

⁴⁷ Lehmberg, The Reformation Parliament 1529-1536, (Cambridge University Press, 1970), p.83.

A draft bill from this first session asserted that bishops and officers often arrested people who had complained against their lifestyle or abuses and imprisoned them as heretics.⁴⁸ They were, apparently, prepared to accept false articles against them and to therefore keep honest men imprisoned or even execute them. The bill sought particular remedies: citations for heresy were not to be made unless the bishop and commissioners were free from private grudges; the accused was to be informed of the charges against him and the names of his accusers; at least two credible witnesses were to be necessary for conviction; the length of imprisonment was to be limited; and the defendants were to be allowed bail before the trial. Some of these measures were in response to very specific complaints, i.e. that people were brought to account for heresy without knowing who had accused them, and were obliged to pay large sums of money for redemption, abjure and perform penance. The accused brought ex officio before the ordinary was compelled to purge himself at the ordinary's will or be accursed and suffer punishment without proof of offence.⁴⁹ There was thus no possible form of redress and it was urged that the convening of heretics ex officio be banned and replaced by a formal accusation, on the grounds that many would give secret evidence out of

⁴⁸ Ibid., p.84.

⁴⁹ Reeves, History of the English Law, from the time of the Saxons to the end of the Reign of Philip and Mary Vol.4 (2nd ed. 1787), p.398.

malice, but would not do so in public.⁵⁰ Even more admitted that witnesses may lie in a heresy trial and "...that the iuge can not surely se somtyme, whether the periceved wytnesse do it for the trouth, or haue an hatered in his breste so secret that the iudge can not se yt...".⁵¹

This was still of great concern in the third session of parliament in 1532. The Lower House was severely troubled by the complaints regarding the cruelty of the ordinaries. Edward Hall commented, summing up the problem "For the ordinaries would send for men and lay accusations to them of heresy, and say they were accused, and lay articles to them, but no accuser should be brought further, which to the Commons was very dreadful and grievous: for the parte so assisted [cited] must either abjure or be burned, for purgacion he might make more".⁵²

On 20th February 1532, Norfolk had written that the dissent in parliament over the misuse or abuse of spiritual jurisdiction was greater than in any previous parliament.⁵³ The grievances and complaints first discussed in the 1529 session were now formally presented to the King as

⁵⁰ Ibid., p.399.

⁵¹ More, The Debellation of Salem & Bizance, p.159.

⁵² Lehmberg, The Reformation Parliament, p.138.

⁵³ Letters and Papers Henry VIII Vol.III, pp.391-2 (Item 831).

'Supplication against the Ordinaries' or the 'Commons' Supplication.⁵⁴

The preamble stated that the discord alleged to exist between the clergy and laity was partly because of the new fantastic notion of heretical books and also because of the uncharitable behaviour of certain ordinaries and commissioners, which had resulted in a breach of the realm's peace.⁵⁵ The list of abuses comprised: the independent legislative power of the Convocation (the Church's "parliament"); the unjust character of ex officio proceedings; the subtle interrogation techniques that trapped ignorant men in heresy trials, and the expense and inconvenience incurred for laymen forced to appear in ecclesiastical courts outside their own diocese. The ultimate result of this occurred on May 1532 with the submission of the clergy to the King and the surrendering by Convocation of their independent legislative power.

These charges did not go unchallenged by the Church, which claimed that many of the procedures objected to were carried out on the grounds of expediency.⁵⁶ Stephen Gardiner also held that there was no division between the laity and the clergy as maintained by the Commons, as the

⁵⁴ Lehmborg, The Reformation Parliament, p.139. See also Letters and Papers Vol.5, p.468 (Item 1016).

⁵⁵ Ibid., p.140. See also Documents Illustrative of English Church History (eds. H. Gee and W. Hardy, Macmillan and Co. Ltd. 1910), pp.145-53 for a full account.

⁵⁶ For 'The Answer of the Ordinaries' see Documents Illustrative of English Church History, pp.154-76.

discord was purely a result of the evil and seditious behaviour by people infected with heresy.⁵⁷ If there were abuses at heresy trials or regarding other administrative matters it was because of faults within certain men, not within the holy order of the clergy or their laws.⁵⁸

One of the strongest opponents of the prevailing procedures in heresy trials was Christopher St. German, who outlined his objections in his A Division between the Spirituality and Temporality in 1532. According to St. German one of the greatest causes of division and animosity between the clergy and laity were the ex officio proceedings against heretics and the manner in which they were handled.⁵⁹ Too often, he claimed, parties had not known their accusers and had therefore been forced to abjure, perform penance and pay large sums of money to remedy the situation.⁶⁰ This had led to great vexation against judges and the offices of the spirituality courts because they appeared to be the sole accusers against the defendants, and encouraged people to believe these courts acted out of malice and partiality.

⁵⁷ Ibid., p.146.

⁵⁸ Ibid., p.147. Also 'Answer of Ordinaries' in Documents, p.163.

⁵⁹ Saint German, "A treatise concernynge the division betwene the spiritualitie and temporalitie". 1532 ed. London S.T.C. 21587, p.16.

⁶⁰ Ibid., p.17. See also St. German's Salem and Bizance in More, The Debellation of Salem and Bizance, p.377.

This was seen as extremely harsh by St. German (who was by this time in his early 70's and had a life-time of legal practice behind him to draw on) because a man may be suspected and be innocent, and yet be driven to purge himself without proof or offence, or be accused before the law. Witnesses may also be parties to the same offence, causing them to lie to convict an innocent rather than real offenders. "For vnder this maner the mooste innocent man that is, maye of malice be reported to be suspected of heresy, and be not so in dede, and so be driven to his purgation or be accursed: and then there is a nother lawe, that if he in that case of an indurate minde stande so accursed a yere, he shall be punished as an heretike...".⁶¹ It was also decreed that if any danger or injury may befall accusors or witnesses then the bishop or other inquirer may keep their identities secret, and anyone privy to their identities was bound to silence on pain of excommunication. Thus it was all too possible for the innocent to go to the stake with no knowledge of who had accused him initially,⁶² and "...if he that is accused knewe their names, that accused hym, he might percase allege and prove so great and so vehement cause of rancour and malice in them...that their sayinges by no lawe ought to stande against him...".⁶³

⁶¹ From Salem & Bizance in More, The Debellation of Salem and Bizance, p.357.

⁶² St. German, "A treatise concernynge the division betwene the spiritualitie and temporalitie" p.18.

⁶³ Salem and Bizance in More, The Debellation of Salem and Bizance, p.356.

If there was such concern for the safety of the witnesses or accusers in heresy trials, why should not the King and his Council be asked to deal with the matter and safeguard those concerned? Ecclesiastical powers were too eager to punish heresies without seeking the assistance of the temporal powers. It was unnecessary for spiritual powers to keep heresy investigations solely under their power.⁶⁴ As it was all Justices of the Peace were enquiring into heresy by the authority of the King's commission. Temporal men may not judge what constituted heresy, but should inquire into it on their own authority and thereafter inform the ordinaries of their findings. If the argument against this was that there was a danger of temporal investigators becoming infected (or merely too informed) regarding heretical ideas, then perhaps, St. German argued, all Justices of the Peace should be thereforth excommunicated (the same might also be said of More). St. German reiterated this point in his Salem and Bizance "...it semeth then, that al the iustices of peace in this realme be ex communicate. For they by auctoritie of the kingis commissions, and also by statute, enquire of heresi".⁶⁵ In any case, if the clergy were to fall prey to heresy it would be hard to redress such a situation without

⁶⁴ St. German, "A treatise concernynge the division betwene the spiritualitie and temporalitie" p.19.

⁶⁵ Salem and Bizance is reprinted in More's A Debellation of Salem and Bizance, p.369.

assistance from the temporal powers. Therefore temporal men must be ready to oppress heresy if the need arose.

Although St. German attacked many aspects of the laws against heresy, he was no supporter of erroneous opinions and had no doubt that strict laws were necessary to redress the problem. But although judges may well use their discretion in treating innocent cases as opposed to wilful offenders, if placed in the hands of a cruel judge the innocent could easily be condemned along with the guilty. He therefore appealed to the King and Parliament to act to reform these difficult areas and thus had the breach that has arisen between the laity and the clergy.⁶⁶ A joint civil/religious authority to investigate offenses would be one way of curbing ecclesiastical abuse of power - the type that had seen Richard Hunne imprisoned on suspicion. If accusations were initially channelled through the King's Council, which would supervise the original investigations before passing the case back to the bishops for judgement it would provide greater protection to defendants against malicious accusers.⁶⁷

Thomas More rejected these suggestions out of hand, claiming it was unnecessary to protect defenders because of this. More argued that the clergy were not cruel in their treatment of heretics: they were no worse than Sts. Jerome or Augustine or the Holy Fathers had been, and acted no

⁶⁶ St. German, "A treatise concernynge the division betwene the spiritualitie and temporalitie" p.20.

⁶⁷ Fox and Guy, Reassessing the Henrician Age, p.108.

more severely than St. Paul advised. Paul, in his letter to Titus, advised that a heretic, who after a warning has not mended his ways but gets progressively worse, should be thrown out of Christ's flock, and this was exactly how the Church behaved.⁶⁸ In fact More argued that their handling of heretics was quite mild; Paul had treated blasphemers with worse means. He had caused the devil to torment their bodies, which in itself was no small pain and not without death either.⁶⁹ Is it not better, he argued, for prelates of the realm to destroy the rebellious wolves rather than let them perpetually ravish and devour Christ's flock, who are committed to their cure - the very flock that Christ had died for?

Heretics therefore deserved their severe punishment (which was, of course, no more severe than those of ancient times) - they caused turmoil, sedition and spiritual harm and the penalties were only devised by the rules out of sheer necessity. The clergy themselves were innocent of any blame in the matter, all responsibility lay in the hands of the temporal rules and the clergy were merely performing their duty - for which they did not deserve to be hated.⁷⁰

One of the objectives of St. German's Division was not to attack clerical abuses as such, but the entire role of

⁶⁸ More, A Dialogue Concerning Heresies, p.428.

⁶⁹ Ibid., p.429.

⁷⁰ Ibid., p.430.

the clergy as custodians of the orthodox tradition. This was a vital reason for the antagonism between More and St. German, who in 1531 was working on a programme of parliamentary reform and propaganda which would have bought peace between the Church and State at the expense of the clergy's traditional privileges and jurisdictional independence, and for the benefit of the Crown and the laity.⁷¹ These would have left only the purely sacramental life of the Church remaining unaltered.

In addition, St. German was in the King's favour in 1532 for his ability to shed light on the royal divorce (the sort of monumental headache that brought even heretics into royal favour), plus his arguments for parliamentary power and its boundaries. He claimed, two full years before the Act of Supremacy embodied these sentiments, that the King in Parliament had jurisdiction over the bodies and souls of his subjects.⁷² More was highly unimpressed by such reforming activities, especially when they struck at the core of what he perceived as essentials of the Church - its independence and its authority. The ultimate consequence of this tussle between the two men on this issue was More's resignation as Lord Chancellor on 16 May 1532 - an admission of public defeat and an act of public defiance against the Submission of the Clergy on the

⁷¹ Fox and Guy, Reassessing the Henrician Age, p.101.

⁷² Ibid.

previous day.⁷³ Between then and his execution in 1534 More wrote two further works relating to the subject: the Apology and the Debellation of Salem and Bizance, both in 1533. The Debellation carried More's side of the argument with St. German and his responses to St. German's comments in his Division. The Apology defended the traditional privileges of the Church and its clergy, plus his own actions and campaign against heresy, and also severely attacked St. German's arguments. More's Apology attacked Protestant theology and its assumptions, attempted to justify his own campaign against Protestant writers and their works as Chancellor, defended the old laws of the realm and of Christendom which St. German opposed and sought to destroy in his Division, to the encouragement of heretics and the overall peril of the Catholic faith.⁷⁴

More maintained that the ecclesiastical laws were made in councils and synods under the guidance of the Holy Spirit and should therefore be accepted wholeheartedly and without grudge or argument. Discovering one black sheep passing judgement in a heresy trial did not give St. German the right to damn the entire clergy as corrupt or vainglorious. After all, even the Apostles had numbered a traitor amongst them.⁷⁵ More considered the English clergy to be as effective and well-disciplined as any in Europe.

⁷³ Ibid., p.95.

⁷⁴ Ibid., p.105.

⁷⁵ Ibid., p.106.

Another point to be considered was that More automatically assumed there could be no smoke without fire.⁷⁶ If the accused did not prove himself and clear his own name when given ample opportunity to do so, if he was so like a heretic that the possibility of him actually being so could not be rejected, then a conviction was justice enough in More's view.

The laws of the realm and the actions of its officials were not just aimed at eliminating heresy by apprehending its preachers. A considerable portion of the legal battle against heresy was aimed directly at the rather fluid trade in erroneous literature between the Continent and England. The influx of Luther's works had already caused consternation in the early 1520's, as mentioned, and resulted in more than a few bonfires across the realm. This was to be a problem that was never entirely solved and continued to trouble monarchs until Mary's time.

More issued two proclamations in January 1530 which provided for the definition and instruments of repression. The King announced both his and the Council's determination to extirpate "the pestiferous, cursed and seditious.." errors by enforcing the old statutes against Lollardy.⁷⁷ All lesser authorities - peers, bishops, bailiffs and constables - were ordered to investigate and report errors; and office-holders from the Chancellor himself down were

⁷⁶ Ibid., p.111.

⁷⁷ Elton, Reform and Reformation, p.127.

required to swear an oath to search out heretics and erroneous works. This was the sole role of the laity - the actual execution of the law was left entirely up to the ecclesiastical authorities. The main thrust of the prohibitions was against heretical works rather than their authors as such, and drew up an Index of prohibited books which was to be revised in stages.

One of the proclamations addressing this area, stated as dating from before 6 March 1529, but actually being issued on 1st May 1530, specifically mentioned that heretics and Lollards perverted the Holy Scripture and their erroneous and seditious opinions disturbed the peace and tranquillity of the realm. The works of Martin Luther were cited as especially heretical and blasphemous and as intending to corrupt English subjects. The King, as defender of the faith, therefore felt obliged to act to safeguard the realm, to preserve his subjects and the salvation of their souls from the indiscreet preaching, the erroneous books and heresies, and the venomous blasphemies and slander. No one was permitted to preach, teach or otherwise inform openly or privily; to write or compile any book; to hold, exercise or keep any assembly or school in any manner that was contrary to the Catholic faith.⁷⁸ In addition, and with the exception of parish priests and privileged persons, no one was allowed to preach openly or privily without a license from the bishop of whose diocese

⁷⁸Tudor Royal Proclamations Vol.I, p.182.

one intended to preach in, a violation of which would see Bilney burned in 1531. Anyone possessing books or other writings considered erroneous by this proclamation was granted only fifteen days to surrender them to the bishop of their diocese.

The penalties for disobedience were detention and imprisonment at the bishop's discretion until purged of erroneous opinions, or to abjure as the law required. A fine may also be set if the bishop thought it convenient in respect to the severity of the offence.⁷⁹ Any relapsed offender was automatically relinquished to the secular authorities to be dealt with according to the law. The proclamation condemned a sizeable number of books, including Bullinger's The Christian State of Matrimony; Simon Fish's translation of The Sum of Scripture (an Anabaptist work); and several of Tyndale's works, such as The Practice of Prelates, An Exposition of the Seventh chapter of the 1st epistle to he Corinthians, The Chapters of Moses, called Genesis, and The Chapters of Moses, called Deuteronomy.⁸⁰

This proclamation had grown out of a conference called by Henry of the two archbishops, several bishops and the representatives from Oxbridge which met in St. Edward's Chapel at Westminster on 1st May 1530.⁸¹ Aside from passing

⁷⁹ Ibid., p.183.

⁸⁰ Ibid., p.185.

⁸¹ Letters and Papers, IV/3, p.2878 (item 6411).

judgement on heretical works, the conference drew up a sermon for priests to preach explaining that the King was looking after their spiritual welfare by having these books condemned and their errors listed. The King claimed this duty to punish those who would not relinquish such books from the authority of St. Paul.

A further proclamation of 22 June 1530 re-emphasised these provisions.⁸² It, also, was aimed in the familiar way against the blasphemous books designed to pervert and draw the people away from the true faith, to stir them into sedition and disobedience against their sovereign and cause them to neglect and condemn all good laws and manners to the final desolation of the realm. The books to be condemned by this proclamation included The Wicked Mammon, and The Obedience of a Christian Man (which incidentally Henry thought was rather good on the rights and duties of Christian princes), both by Tyndale; Simon Fish's venomous The Supplication of Beggars and The Revelation of Antichrist, by John Frith.⁸³ It was forbidden to receive or possess these books or indeed any book in English, Dutch or French that was printed overseas.⁸⁴ However, the authorities were not always as vigilant as the proclamation would have wished them to be - only More, of the officers named, actually took an active part as called for - and the

⁸² Tudor Royal Proclamation Vol.I, p.193.

⁸³ Ibid., p.194.

⁸⁴ Ibid., p.195.

denial of an English translation of the Bible only served to further an increase in heresy⁸⁵ by encouraging those wanting such a translation to use Tyndale's. In addition, the mere mention of a particular book as banned was only likely to prove that it was well worth a small perusal. Though an active policy of repression existed, it could only seldom be effectively carried out, as both the resources for thorough enforcement, and the inclination to do so, were not universally present.

The speed of heresy was of enormous concern to the powers that be, however. In January 1531, before Parliament reassembled on 16 January, the Convocation of Canterbury gathered to pass reforming canons.⁸⁶ In particular they were incensed by the last will and testament left by William Tracy, a Gloucestershire gentleman who had died the previous year.⁸⁷ The will had expressed a belief in justification by faith alone and had refused any bequests to the clergy. The "errors" of the will had been exposed to the Convocation by the Prolocutor after it encountered trouble in the ecclesiastical courts. It was also becoming a favourite text of the reformers. Tracy's son, Richard, a member of the House of Commons and a friend of Thomas Cromwell, was summoned and questioned regarding circulating copies of the will, which he admitted to on a single

⁸⁵ Elton, Policy and Police, p.220.

⁸⁶ Elton, Reform and Reformation, p.141.

⁸⁷ Lehmborg, The Reformation Parliament, p.117. The will is printed in Foxe, Acts and Monuments Vol.5, pp.31-2.

occasion only. The Convocation pronounced the formal sentence of reprobation, and Tracy's body was exhumed as it was now unworthy of a Christian burial. The Bishop of Worcester's chancellor burned the exhumed remains at the stake - with distinct shades of the treatment of Hunne - and was later forced to pay a £300 fine by Tracy with Cromwell's help.

The issue of dealing with heresy was by no means universally agreed upon and caused great division on occasions, as in the case of Thomas Phillips of London in 1534.⁸⁸ Phillips was an early possessor of an English translation of the New Testament, and he was arrested on charges of denouncing the real presence, purgatory, pilgrimages and fast days - all of which he denied. He was imprisoned by Bishop Stockesley because More - remembering Hunne - did not want another incident involving the Lollard's Tower. He was later transferred to the Tower - an unusual place for a heretic. After three years in prison Phillips petitioned the Commons for redress of grievances, asserting his innocence and claiming that the Bishop had merely held him there in order to execute him when - or if - he ever felt like it.⁸⁹ The House of Commons was highly unimpressed by this tale of ill-treatment, and on 7 February Phillip's attack on Stockesley was sent up to the House of Lords, where it was dismissed as frivolous and

⁸⁸ Ibid., p.186.

⁸⁹ Letters and Papers Henry VIII, Vol.VII, pp.63-4 (item 155).

unworthy of consideration. The Commons adopted their own approach. After comparisons had been made between the three heresy laws and other pre-1414 statutes (including the Magna Carta), both the 1401 and 1414 statutes were deemed to be deficient, especially in that they conflicted with earlier legislation on subjects' liberties. The 1401 act was directly attacked because it had failed to specifically define heresy, or to determine exactly what a heretic was.⁹⁰ It had also failed to state exactly what procedures such as purgation and abjuration after the law constituted. Aside from the Twelve Articles of the faith, the Commons argued, what articles were there for men to be legally held answerable to?⁹¹ The Act of 1401, rather than actually creating a punishment for heresy, had merely entrenched in law the traditional method of eliminating heretics, i.e. burning.⁹² The Commons drafted a bill that repealed the existing law of 1401.⁹³ Open trials were to be established and the convicted given every opportunity to recant. Only relapsed heretics were to be ordered to be burned by the secular powers, although the King's writ was now necessary to burn a heretic, another procedure that raised the possibility of monarchical intervention on

⁹⁰ More, The Debellation of Salem and Bizance, p.lxiv.

⁹¹ Ibid., p.lxv.

⁹² Ibid., p.li.

⁹³ Lehmborg, The Reformation Parliament, p.187 (later as Statute of the Realm Vol.III 25 Hen VIII c 14).

political or diplomatic grounds.⁹⁴ The House of Lords received the bill on 26 March, and finally gave their consent on the 30th, only days before the session ended.

V. THE ADVENT OF THE KING'S CHURCH

One of the more far-reaching and important pieces of legislation concerning political control over ecclesiastical process and development was passed in 1534 in the form of an Act concerning the King's Highness to be Supreme Head of the Church of England and to have authority to reform and redress all errors, heresies and abuses in the same.⁹⁵ Parliament thereby authorized that the King, his heirs and successors, were to be the only supreme head on earth of the Church of England and were to be accorded all the privileges, authorities and jurisdiction of that title. The Crown was thus empowered with the full authority to redress, repress, reform, order, correct or amend all errors, abuses, offenses and heresies in any way and by any means within the Church, and to act likewise regarding spiritual authority or jurisdiction in order to preserve the peace and unity of the realm.

The monarch was thus no longer a mere secular protector of the national church, he was now intimately involved with all its functions. The act allowed the crown

⁹⁴ More, The Debellation of Salem and Bizance, p.lxvi.

⁹⁵ Statutes of the Realm Vol.III, 26 Hen VIII c1.

to annex the power to correct preacher's opinions, to supervise doctrinal formulation, to reform canon law; to visit and discipline the regular and secular clergy; and to try heretics in person, as Henry did in the case of John Lambert.⁹⁶ (Given Henry's extensive theological knowledge and his equally extensive interest in personally controlling every possible aspect of power within the realm, the supremacy over the national church took on a very personal nature).

This act transformed the English Church into the King's Church,⁹⁷ its clergy becoming his ministers, vicars and servants, and its parishes, sees, cathedrals, monasteries, wealth and possessions his to reorder, correct, alter or destroy as he saw fit, personally, or through his clergy, his vice-gerund in spiritual and vicar-general, Thomas Cromwell, or through any other person, lay or cleric, commissioned to do so by the King. It was still for the clergy to command, reward, punish or reform the people, but only because of the authority they now derived exclusively from the crown, and according to the canons approved by the royal committee of thirty two people set up to oversee such practices,⁹⁸ or which had received royal assent. The Christian courts were also no longer a separate legal system, but were now linked to the Curia

⁹⁶ Dickens, The English Reformation, p.119.

⁹⁷ Scarisbrick, Henry VIII, p.499.

⁹⁸ Later as Statutes of the Realm Vol.III, 27 Hen VIII, c 15.

Regis and final appeal in ecclesiastical cause now lay with the Court of Chancery.⁹⁹

The effects that the monarch could have on the day-to-day running of the realm's religion were myriad and potentially dramatic. The King was now God's vicar on earth and it was his responsibility and right to order and redress all indulgences granted by Rome and most importantly, to declare doctrine. It was the King's duty to ensure peace and harmony throughout his realm, and if he perceived any doctrine, ecclesiastical procedure, custom or form of worship to be destructive to that peace and harmony, it was his duty and responsibility to correct it. In this sense he was clearly in line with the laws of his realm and was not claiming rights or privileges that went against them. It was for him to decide what was true, what false, what to assert or deny and to instruct comprehensive statements of faith, composed by his clergy on his authority and by his license. In addition the monarch was empowered to determine the number of holy, feast and fast days, to instruct the clergy regarding the nature and content of their sermons, the veneration of saints, relics and pilgrimages, to order each parish to purchase an English Bible - the list is long and all encompassing.¹⁰⁰

It seemed to Henry that the nature of true Christian Kingship had been rediscovered after centuries of

⁹⁹ Scarisbrick, Henry VIII, p.500. Also see Statutes of the Realm, Vol.III, 25 Hen VIII c 19.

¹⁰⁰ Ibid., p.500.

usurpation by the tyrannical, fraudulent and vainglorious

bishops of Rome.¹⁰¹ It was the crown and not the triple tiara that had been endowed by God with the sacred duty of nursing the temporal and spiritual lives of their subjects, and followed the example of the ancient Kings of Israel, David, Jehoshaphat, Josiah and Hezekiah, and also the early emperors Constantine and Justinian.¹⁰² This act therefore, according to official reasonings of the time, embodied no coup or revolution against the rightful authority of Rome, but merely sought to redress an historical crime and reclaim the rights and duties usurped by the megalomaniac popes, or thus reasoned Henry VIII.

Henry had been influenced by these ideas for several years. Although he was venomously opposed to the heresy of Martin Luther, he was certainly attracted to and impressed by Luther's exaltation of the rights and privileges of the godly Christian prince, a fact which Henry commented on when he stated that much of what Luther said was not heresy, but truth.¹⁰³ In addition to Diet of Speier in 1526 had affirmed the rights of the godly prince, which influenced many German princes regarding joining the reformation there and also prompted Henry to warn Clement

¹⁰¹ Ibid., p.501.

¹⁰² Ibid., p.505. See also Ullmann 'This Realm of England is an Empire' in J.E.H. Vol.30, April 1979, pp.184-7, and pp.200-1.

¹⁰³ Ibid., p.326.

that he would do likewise if papal consent for the royal divorce was not forthcoming. Henry's matrimonial woes were further impetus for claiming royal supremacy over the national church, in order to remove power from hands that only restrained and thwarted Henry's actions and place it in hands that might better serve his purposes, i.e. his own.

There were other arguments for royal against papal supremacy. One, as put forward by Marsilius of Padua in his Defensor Pacis was that it was the clergy's task to preach and teach, not to rule. Christ's Kingdom was not of this world, and therefore his vicars and representatives should not have jurisdiction over laymen, or hold property or presume to direct the King's policies. There was also the historical argument - that papal authority was not recognized in the early Church in anything like its high medieval form, and that its development since Gregory VII amounted to nothing more than blatant usurpation.¹⁰⁴ If ultimate authority on earth did not reside with the papacy, it must of necessity belong to the secular magistrate, as none other existed.¹⁰⁵

Papal supremacy in England was formally abolished when the Minutes for the Council on 2 December 1533 read that the Pope was merely the Bishop of Rome and as such held only the same authority and jurisdiction within the realm

¹⁰⁴ Loades, Oxford Martyrs, p.24.

¹⁰⁵ Ibid., p.25.

as any other foreign bishop, i.e. none.¹⁰⁶ This fact was to be taught, preached and liberally disseminated throughout the realm. The Pope held no authority above general council - in fact the reverse was now in operation - his previously usurped authority was contrary to both God's laws and the general councils, and had only been permitted by the sufferance of the realm's princes, not by God's authority.¹⁰⁷

Though the royal supremacy undoubtedly had its supporters, it was not always because people swallowed the 'official' line on the subject. Cranmer supported it because it was consistent with the law of God, and because it constituted an essential step in the process of spiritual renewal and reform. Gardiner also endorsed the move as being in line with God's law, but only because it was the only practical method of preserving the essentials of the traditional faith from corruption and decay. The papacy had failed in its self-appointed task and the King had every justification in disowning it. For both the break with Rome fulfilled God's will, yet neither gave Henry ultimate authority, for Cranmer this was scripture (as the arbiter of true doctrine) and for Gardiner this was the Church's traditions.¹⁰⁸ Henry himself never explicitly

¹⁰⁶ State Papers, Vol.I, p.114.

¹⁰⁷ Ibid., p.115.

¹⁰⁸ Loades, Oxford Martyrs, p.49. See also Gardiner's De vera obedientia oratio in Obedience in Church and State (ed. Janelle), pp.123 and 149.

claimed the right to define true doctrine, although the act of royal supremacy gave him the ability to claim such if he chose, but he was undoubtedly given extremely wide scope for interpretation - too wide a scope for some.¹⁰⁹

One of the more obstinate oppositions was put up by members of certain religious houses, as Bedyll wrote to Cromwell on 28 August 1534.¹¹⁰ Such protest was extremely passionate and its undertakers were willing to risk execution and the suppression of their religious houses in order to advance the Pope and his authority. This opposition was occurring in many Chapterhouses, especially in London, although Bedyll also mentioned its occurrence in the Friory at Sion, where some preachers were refusing to refer to the King by his new title, and others walked out of church at its mention. As the King had commanded that his title as Supreme Head to be declared in preaching across the realm, this amounted to no insignificant protest. Bedyll claimed every effort was being made to re-educate these wayward souls in their errors, but maintained their sacrifice to the great idol of Rome made them cursed by God, as their actions placed all confidence regarding everlasting life in the hands of one man - which could not be done.

Although surrounded by advisors and theological experts who undoubtedly had some influence, in the end the

¹⁰⁹ Ibid., p.50.

¹¹⁰ Letters and Papers Henry VIII Vol.VII, pp.421-2 (item 1070), and State Papers pp.422-3.

final decision lay - again - with one man. That the man concerned now resided in London rather than Rome made little practical difference. In fact it had the potential to increase the monarch's powers over criminals dramatically, as now errant subjects were answerable to the crown for all misdemeanours, secular and spiritual. Should the monarch's political and spiritual power be transformed into utter despotism and tyranny, there was conflict as to whether unquestioning obedience was still required, but no doubt as to the results should it not eventuate. As Fox remarked on the dilemma Thomas More faced "...anyone who found himself unable to fulfil a command because it seemed to be forbidden by divine law had ultimately no redress - as More would later discover at the cost of his life."¹¹¹ Others, however, were of the opinion that obedience to secular authorities was required regardless of the laws they made, and although thereby appearing to contradict themselves, they based the ultimate decision on how God's laws (as opposed to the King's laws) were interpreted. In 1535 Gardiner had written that God's commandments were to be obeyed above all else, "...For it is better to obey God than men".¹¹² And yet six years later in his 1541 Answer to Bucer he argued that a tyrannical ruler with unjust laws should be seen as a lesson being taught by God who required

¹¹¹ Fox, Thomas More: History and Providence, p.166.

¹¹² See Obedience in Church and State (ed. Janelle), p.91.

penitence from the realm.¹¹³ Thus it was very difficult to discern whether God's laws were being deliberately disobeyed by the ruler, or whether the realm was being punished for past sins, and obedience was still required in order to avoid future misfortune, even if that obedience was to an ungodly despot. Alas there was no simple way of knowing, and in a society that exulted obedience and abhorred rebellion there were no ready answers, but merely the question: *que faire?*

VI. THE REMAINDER OF THE REIGN AND A REMAINING PROBLEM

The extent of these changes were little realized in 1534, however, and the problem of heresy continued to challenge the status quo. The mid 1530's were relatively quiet years, after the turmoil preceding it, although the issues at hand were far from unresolved or absent. The end of 1534 saw the Convocation again concerned with heretical writings, especially a Protestant "Prymer" published by William Marshall whose blunt attack on the veneration of saints saw it judged incompatible with Church teachings and unfit for public use.¹¹⁴ Tyndale's revised translation of the New Testament, printed in November in Antwerp, was also condemned, although the clergy were beginning to warm,

¹¹³ Ibid., p.177.

¹¹⁴ Lehmborg, The Reformation Parliament, p.214.

slightly, to the idea of an English Bible. At their last meeting the bishops and abbots petitioned Henry to appoint a special commission to investigate all suspect books and to consider whether scriptural translations might be undertaken by learned and faithful men. They also sought a royal proclamation outlawing public discussion of theological matters, as the mystical sacrament of the altar had now been reduced to the subject of alehouse arguments.

However, an ever-so-slight softening of tone in one area was no indication that it was to become a general trend. March 1535 saw a proclamation¹¹⁵ ordering all Anabaptists - the most despised of all heretics - to depart the realm. Their unpardonable errors had been to show contempt for the sacrament of baptism by rebaptizing themselves and they denied the blessed sacrament of the altar to be the true body and blood of Christ, and held other heresies against God and his holy Scripture, the result of which was undoubted trouble in Christendom and the perdition of innumerable souls. The King, as Supreme Head, gave members of this group twelve days in which to depart the realm, on pain of death, and forbade anyone who held such opinions from entering the realm thereafter, and likewise forbade his own subjects to believe the same.

The subtle changes to the faith continued with the Act of Ten Articles of 1536 which, although mostly Catholic, was also tinged with Lutheranism. Only three sacraments

¹¹⁵

Tudor Royal Proclamation, Vol.I, p.227.

instead of the traditional seven were mentioned: the eucharist, baptism and penance. Christ was still deemed to be physically present in the first and a number of traditional Catholic practices: masses for the dead, invocation of saints and the use of images, confession, absolution and good works were all deemed to be desirable.¹¹⁶ The Lutheran element was emphasised when justification was deemed to be by faith as by confession, absolution and the performance of good works. Unlike the later Act of Six Articles of 1539 no absolute statement of heresy or orthodoxy and the penalties for diversion from the latter were encompassed by this Act.

The perennial headache of unlicensed printing of Scripture was again addressed in November 1538 by a proclamation forbidding yet again the importation, selling, publishing or giving of books containing erroneous opinions, without the King's special license, on pain of loss of goods and imprisonment at the King's will.¹¹⁷ The printing of any book in English without a relevant license, or the printing of divine Scripture in English (except that allowed by the King and his council) was also forbidden. In addition all Anabaptists were ordered to depart the realm within the following eight to ten days upon the usual pain of loss of life and goods.¹¹⁸ Discussion on the sacrament or

¹¹⁶ Christie-Murray, A History of Heresy, p.151.

¹¹⁷ Tudor Royal Proclamations Vol.I, p.270.

¹¹⁸ Ibid., p.271.

its mysteries were forbidden outside of the universities, with the same penalties for disobedience, and all subjects were charged to keep the customs and traditions of the Church in their entirety. However, this was to be done out of remembrance of things of higher perfection, and as such were good instruction until the King decided differently. No hope of salvation was to be placed in their performance as their alteration or abolition may be deemed necessary by the King for the peace of his people or the advancement of his commonwealth.

Any further shift towards Lutheranism was resoundly halted later in the same year by the Act of Six Articles. This act reasserted orthodox Catholic doctrine on disputed points and also gave episcopal courts the power to initiate trials against heresy without a formal presentation of an offender by a jury.¹¹⁹ The Commons evidently felt that it was preferable for the Ordinaries to have wide-ranging powers in this area than for the realm to be overrun by religious dissention, and it was not until 1543 that it was deemed expedient to limit prosecutions by again establishing stricter procedure laws.¹²⁰

The Act Abolishing Diversity in Opinions, to give it its formal title was the first act since 1533 that gave a positive definition of heresy, rather than the usual vague indications of what did not constitute heresy. The first

¹¹⁹ Statutes of the Realm Vol.III, 31 Hen VIII, c 14.

¹²⁰ The Tudor Constitution, p.387. Also Statutes of the Realm Vol.III, 35 Hen VIII, c 5.

article was by far the most important, upholding the traditional doctrine of transubstantiation insofar as the sacrament of the altar is the natural body and blood of Christ corporally present in the bread and wine such that after consecration no substance of the bread and wine remains. The other articles stated that communion in both kinds was not necessary for salvation, forbade priests to marry, maintained that vows of chastity or widowhood made to God were to be observed, supported the continuation and maintenance of private masses in 'The King's English Church' as people received benefits and consolation through such practices, and ordered the retention of auricular confession as expedient, necessary and to be undertaken at frequent intervals. The last five articles were merely felonies that could be punished by fines or imprisonment, but any breach of the first article after 12 July 1539 in word, writing or disputation would be deemed heresy and was punishable by burning.

The act also established diocesan commissions for the bishop and his officers to compel the attendance of the accused before them and to try them by a jury. Another very important effect was that heresy became a secular offence by this act.¹²¹ The rule of canon law had long punished heretics by burning, and the passage of this act formally recognized the rule of canon law. The law of 1533 had repealed the 1401 act and had thereby deprived bishops

¹²¹ Tanner, Tudor Constitutional Documents, p.95.

of the power to act on suspicion against heretics, and necessitated that proceedings begin by indictment which had discouraged prosecutions. It had also revoked the death penalty by burning for heresy, leaving the realm with no statutory capital punishment for heresy for six years.

This act conclusively demonstrated that Henry was still prepared to enforce the fundamental Catholic doctrines under threat of severe penalties. Orthodoxy was thereby firmly asserted and the Reformation equally as firmly halted in its tracks, to the great concern of reformers. Latimer and Shaxton resigned their seats at, respectively, Worcester and Salisbury, and Cranmer and Cromwell placed a brave face on their submission and abandoned their opposition.¹²² The act was a bitter disappointment to the Lutheran world, but did not reverse or undo the effects of earlier reforming legislation. Neither was it the savage, draconian measure that it might have been. Only six people suffered the ultimate penalty under it, and of the two hundred plus charged in Bonner's London diocese, only three were even imprisoned.¹²³ The gradual withering of the old order continued, but this act, along with Cromwell's fall from grace and the preceding utter failure of the royal marriage with Anne of Cleves (an attempted alliance with Lutheran princes gone sadly awry) resolutely ceased the growth of Lutheranism and once again

¹²² Elton, Reform and Reformation, p.287.

¹²³ Scarisbrick, Henry VIII, p.545.

marked England as, at least nominally, an orthodox Catholic nation.

The Act of Six Articles was the last major act of Henry's reign to positively define heresy with specific penalties for disobedience. Two further acts were implemented before his death in 1547 that 'tidied up' loose ends in order to better maintain the religious status quo. An act for the advancement of true religion and the abolition of the contrary appeared c 1542-3¹²⁴, that again abolished unlawful scriptural translations, especially Tyndale's. The following year, c 1543-4¹²⁵ saw a bill concerning the Six Articles appear that tightened procedures in heresy offenses. Presentment had to be begun within twelve months of the offence, and twelve men were required for such presentment before the appointed commissioners or Justices of the Peace. A warrant issued by two councillors was required before an accused could be arrested and any accusations against preachers had to be made within forty days of the offending sermon. In addition, and perhaps in memory of Thomas More, offenders refusing to answer shall be deemed guilty and convicted, silence gave consent to the charges, not defiance of the innocent.

Finally, heretical literature again attracted attention in 1546 by a proclamation Prohibiting Heretical

¹²⁴ Statutes of the Realm III 34 & 35 Hen VIII, c 1.

¹²⁵ Statutes of the Realm Vol.III, 35 Hen VIII c 5.

Books: Requiring Printer to Identify himself, Author of Book and Date of Publication.¹²⁶ All versions of the New Testament, save those especially approved by Act of Parliament, were forbidden to be possessed, used or taught from after 31 August. Likewise any work by Frith, Tyndale, Wycliff, Roy, Joy, Basille, Barnes, Coverdale, and other heretical writers¹²⁷ were also forbidden from the same date. Surrender of such works to local authorities before that time for public destruction would result in a pardon for the offenders. If possession or use continued beyond this date (whence it became a wilful offence) the convicted faced a fine to the King and imprisonment at his pleasure. Importing any book on the Christian religion into England without a special licence from the King given in writing was prohibited,¹²⁸ as was the printing of any form of English literature - book, play or ballad - without the title author and date of print clearly shown, the first copy of which was to go to the town's mayor for inspection.

Thus the laws and procedures governing heresy and its suppression had changed quite considerably under Henry VIII, especially regarding the actual processing of offenders, measures having been taken to ensure that the innocent or those maliciously accused were not as likely to suffer. The overall doctrinal definition of heresy was

¹²⁶ Tudor Royal Proclamation, Vol.I, p.374.

¹²⁷ Ibid., p.374.

¹²⁸ Ibid., p.375.

little changed, remaining largely conservative and in accordance with the Catholic faith. In the following chapter these same issues shall be addressed with regards to the reigns of Edward VI and Mary I.

CHAPTER FIVE

THE LEGAL MERRY-GO-ROUND OF EDWARD AND MARY

"...grant that thy Holy Spirit may bestow upon my dark soul more sceptical, conjectural and fluctuating knowledge, to know and believe things with a reserve, with a leaving of room to believe the contrary tomorrow of what I believe today."

Rutherford
(reference lost)

The remainder of this period (1547-1558) saw all the laws pertaining to heresy completely repealed and then fully restored. While the legal definition of heresy under Henry VIII had often been vague or unspecific, under the two succeeding monarchs there was little room left for doubt or confusion. Briefly, under Edward VI all laws defining and dealing with heresy were repealed, and under Mary I they were all restored again and executed as they had been under Henry VIII. However, as each monarch would discover, the absence of laws governing a particular offence, or ending its status as a criminal offence, did not mean the problem it stemmed from ceased to exist; and

nor did the restoration and execution of such laws to the full necessarily resolve the original problem.

The parliamentary session in 1547 made a clean sweep of existing laws in order to remove obstacles thwarting the advance of the Reformation. In November of that year the Act of Six Articles and certain statutes against heresy were all repealed, leaving no statutory power for the burning of heretics,¹ a move that was to cause a considerable legal problem in 1550 over the case of Joan of Kent.² Also abolished were the benefit of clergy for most crimes for Church members, all statutes of Henry's reign regulating the doctrines of religion and the practices of the Church, and the 1539 Statute of Proclamation, which decreed that any royal proclamation had the force of law as if it were contained in statute.³

Although the public image and position of the medieval Church was to be utterly destroyed, private Catholicism was tolerated by the regime. Princess Mary was allowed to make the celebration of the Mass the central event of her household,⁴ illustrating a pragmatic reluctance to interfere with the private thoughts or practices of people

¹ Elton, Reform and Reformation, p.342 and Statutes, Vol.IV, 1 Edw, VI, c 12. The laws repealed were: 5 Ric II 2, c 5; 2 Hen V s 2, c 7; 25 Hen VIII c 14; 31 Hen VIII c 14; 35 Hen VIII c 1; 35 Hen VIII c 5; 31 Hen VIII c 8; and 34, 35 Hen VIII c 23.

² Ridley, Nicholas Ridley, p.131.

³ Ibid., p.130.

⁴ Edwards, Christian England, Vol.II, p.36.

(especially the gentry), and also a reluctance to arouse any latent Catholic sympathy which could result in considerable civil strife. Given the popular support Mary would command on her accession and before in the brief 'reign' of Queen Jane, this policy was clearly grounded on good sense. Despite this liberalization homilies were to be read in Church advocating mildly Protestant doctrines and above all, emphasising the duty to obey. Despite the fact that all laws against heresy had been repealed in 1547, and including those that gave statutory authority to the execution of relapsed heretics by burning, there were five major trials against heretics in Edward's reign, two of which resulted in the convicted being burned.⁵

The most interesting heresy case during Edward's reign, which yielded one execution and sorely tested the current absence of laws to deal with heresy was that concerning Joan of Kent, also known as Joan Bochor. As early as 1528 Joan had abjured as a Lollard in Essex, and by 1543 she was an outstanding sacramentary who was regarded favourably by Cranmer and other reformers at Canterbury.⁶ At this stage there was no mention of the Anabaptist heresy that would see her condemned, although there was some talk of Christ not having taking the flesh of the Virgin - and therefore not being wholly man. By the time she was brought to trial on 12 April 1549 before a

⁵ Davis, Heresy and Reform, p.103.

⁶ Ibid., p.104.

royal commission headed by Cranmer she had progressed to a mixture of Libertine and Anabaptist thoughts.⁷ Joan was convicted of heresy, having steadfastly refused to recant any articles, but posed a huge legal dilemma for the regime in that no legal authority remained in the statutes to burn her - and the King was highly reluctant to do so anyway.⁸ She languished in prison for an entire year while fervent efforts were made to encourage her to change her mind. (Despite the reluctance to impose the ultimate penalty strong action was imperative in this case. Cranmer and other leading Churchmen were engaged in a determined campaign against Anabaptists, and if imprisonment was the greatest danger they faced they were not likely to be put off or eradicated.)

Lord Rich, a Councillor, went some way to resolving the dilemma however, by disclosing that according to old law reports heretics had been burned in England before the Statute of 1401 had been passed,⁹ therefore the King had the power under Common Law, independent of Statute, to order the burning of excommunicated heretics under royal prerogative.

However the greatest desire was for Joan to recant. The young King was highly reluctant to authorize such an

⁷ Ibid., p.105.

⁸ Burnet, The History of the Reformation of the Church of England, (Wm S. Orr and Co, 1850) Vol.I, p.372.

⁹ Ibid., p.372. See also Holdsworth, History of English Law Vol.I, pp.616-7.

act and it was not absolutely certain that Rich was correct in his legal interpretation. The Protector was also hesitant to take such an action when it so deliberately contradicted his overall lenient policy. England had become a haven for heretics and refugees escaping the European persecution,¹⁰ however there were heretics and heretics - and the Anabaptists like Joan were clearly worse than most. Both Ridley and Cranmer pleaded with Joan for an entire week in an effort to win a last minute recantation, but met with only abuse and defiance. The sad irony is that within six years Ridley and Cranmer would again find themselves in the same situation, except in the place of Joan Bocher, and with the same result. Ridley tried hard to convince Joan that there was no authority or reason to support her view that the Word was made flesh in the Virgin's womb without taking flesh of the Virgin, but to no avail.¹¹ The task of persuading the eleven year-old King to consent was left to Cranmer, who reminded his highly hesitant sovereign at the end of the trial that Moses had ordered the stoning of blasphemers, which Anabaptists clearly were also, having blasphemed the Apostles' Creed. The burning of Anabaptists, Cranmer argued, was not the same as Catholics burning Protestants because Protestants only wanted to reform the Church's doctrines, unlike the Anabaptists who sought to destroy

¹⁰ Ridley, Nicholas Ridley, p.210.

¹¹ Burnet, History of the Reformation... Vol.I, p.371.

it.¹² Edward was informed by Cranmer that in reality he had to consent to the execution, as it was his duty as God's representative on earth to punish offences against God. Cranmer assured the King that every possible attempt would be made to gain a recantation, but Joan was finally burned on 2nd May 1550.¹³

The Protestant bishops were greatly troubled by the threat posed by Anabaptists, and in January 1551 a new campaign against it was initiated, headed by a commission of which Ridley was a member.¹⁴ By April a serious charge of heresy was brought against George Van Paris, a Dutch surgeon. George had spread heresy amongst his fellow Dutch immigrants in London and had been turned over to the authorities by them. In complete contrast to Joan Bocher, George believed that Jesus was not divine in any way but merely a great religious teacher. He was duly pronounced a heretic, excommunicated and handed over to the secular authorities on 6 April, Ridley himself being one of those who signed the order. The order was carried out soon after on 25 April, no year-long reprieve for George as it was now accepted that a heretic could be burned under common law¹⁵ apart from any statutory authority. He was the second and final Anabaptist to be burned under Edward. Usually, and

¹² Ibid., pp. 371-2.

¹³ Ibid., p.372. See also Ridley, Nicholas Ridley, p.166.

¹⁴ Ridley, Nicholas Ridley, p.254.

¹⁵ Burnet, History of the Reformation... Vol.I, p.372.

with the sole exception of Anabaptists, religious dissension was treated far more mildly under Edward than under either Henry or Mary. Dissenters were usually treated as political offenders, and therefore faced milder penalties. However Cranmer, Ridley and their colleagues were determined to stamp out Anabaptism as complete and contemptible heresy, and were prepared to send any number to the stake to effect this.¹⁶ Ridley was particularly concerned with their strength in his London diocese, as this was where the majority of alien Protestants resided.

The Second Act of Uniformity of 1552¹⁷ imposed a revised Prayer Book by Cranmer, this time also assisted by Ridley and subjected those who attended services other than those in the new book to imprisonment. The final vestiges of Catholicism were done away with; the terminology of 'mass' and 'altar' were deleted entirely and replaced by the 'Lord's Supper' or 'Holy Communion' and 'table'. Transubstantiation was now also formally denied - which would have got Cranmer burned under Henry - and the main ritual of the Christian faith now became a communion of simple remembrance.¹⁸

England was now firmly Protestant, and the resistance that had followed the first Prayer Book in 1549 was now

¹⁶ Ridley, Nicholas Ridley, p.255.

¹⁷ Statutes of the Realm Vol.III 5 and 6 Edw. VI, c 1.

¹⁸ The Two Liturgies, A.D. 1549 and A.D. 1552 and other Documents set forth by authority in the reign of King Edward VI (edited for The Parker Society by J. Ketley, Cambridge University Press, 1844), pp.265, 273, 279.

utterly lacking, probably for a variety of reasons including indifference, genuine Protestant beliefs, fear, acceptance, resignation, and the all too fresh memory of what resistance had brought the nation last time.

Two final documents appeared in 1552 which, although not statutory law, do give a valuable indicator of prevailing attitudes of the time and of the general direction events were taking. A draft of the Code of Ecclesiastical Law was approved by thirty two Commissioners and only needed the King's promulgation to become law,¹⁹ but concern by the common lawyers that it gave too much scope to ecclesiastical courts persuaded the Protector Northumberland to delay it until Edward had died. The code was remarkably lenient for the time, punishing heretics, blasphemers against God, witches, magicians and such like with excommunication only if they remained obstinate. As always, excommunication was no empty threat or penalty. An excommunicant was forbidden to give evidence in court and lost his entire testamentary capacity. No one except the excommunicant's family were permitted to eat or speak with them on pain of excommunication also. If repentance was not forthcoming and a public confession made within eighty days then the excommunicant could be imprisoned until he complied. However, for anyone denying the

¹⁹ Burnet, History of the Reformation... Vol.I, pp.435-6.

doctrines of Christianity, especially belief in the Trinity, the punishment would be death.²⁰

The second document of 1552 was the Forty-two Articles, a statement of all the fundamental doctrines of religion, compiled by Cranmer with the help of Ridley.²¹ The majority remained in effect to be used by the Church of England as its Thirty-nine Articles, and endorsed the 1547 Book of Homilies in that good works, while meritorious, were not an independent requirement for salvation. On the condemned list were purgatory, the invocation of saints and the worship of images. All services were to be performed in English, transubstantiation was wrong (Christ's body being in heaven), the elevation of the Host was condemned and the number of sacraments reduced from seven to only two - baptism and Holy Communion.

That was the end of the laws governing heresy under Edward VI, as 1553 progressed it became clear that the young King would not live much longer, and on July 6th 1553 he died of tuberculosis. Although there was a plot to put relatives of the Protector Northumberland's on the throne which resulted in the brief reign of Lady Jane Grey, the Princess Mary was perceived by the majority in the realm to be the next rightful heir to the throne, which she duly ascended with great popular support. Less happily, her

²⁰ Ibid., pp.435-6.

²¹ Burnet, History of the Reformation... Vol.I, pp.413-4. See also Miscellaneous Writings and Letters of Thomas Cranmer (ed. for The Parker Society by J. Cox, Cambridge University Press, 1846), pp.543-4.

accession also threw the realm into religious turmoil yet again, although few in 1553 could have foreseen just how tumultuous, and ultimately divisive, her brief reign would be. England stood once more at a religious crossroads, only the direction was now towards Catholicism, as surely and as determinedly as it had been towards Protestantism under Edward.

The Queen started gently enough though. On 18 August she had issued a proclamation offering freedom of conscience, but also prohibiting religious controversy and unlicensed plays and preaching.²² The Queen was greatly concerned at the turmoil and diversity in the realm, and while she wished that all subjects shared her religion, the Queen recognized that this was not so. No compulsion to do so was intended, at least not until further order was gained by common assent. The main instruction of the proclamation was to order her subjects to live peacefully, to avoid stirring up trouble or interpreting the laws for themselves.²³ In order to effect this no one was to preach or read in churches, or interpret the Scriptures or other doctrinal matters without the Queen's special license.²⁴

Mary wasted no time in establishing the 'order' she saw as necessary in order to dismantle the Protestant Reformation and restore the former standing and authority

²² Tudor Royal Proclamations, Vol.II, (eds. P. Hughes and J. Larkin, Yale University Press, 1969), p.5.

²³ Ibid., p.6.

²⁴ Ibid., p.7.

of the Pope and Catholicism. Her first Statute of Repeal in 1553 undid much from Edward VI's reign,²⁵ renouncing Cranmer's efforts, the reformed Liturgy, both Books of Common Prayer, the administration of the Sacrament in both kinds and the recognition of married clergy - although the act did not pass through parliament without considerable opposition. The passage of these laws under Edward had led to "great unquietness and much discord to the great disturbance of the common wealth of this realm", and also "extreme peril and utter confusion", the more of which would occur unless the Queen acted quickly to rectify matters and restore order and uniformity. Thus all services and administration of the sacraments was restored to that existing in the last year of Henry VIII, and no other kind was to be allowed.

This was followed in March 1554 by a proclamation instructing bishops and their officers to reintroduce all the ecclesiastical and canon laws of Henry VIII's time and to keep a vigilant eye on the potential for heresy within their areas, especially among the clergy.²⁶ Nobody was to be allowed to receive any ecclesiastical benefice function or office who had been defamed by heresy, and any book or opinion which may lead to hatred and discord among the people was to be diligently repressed.²⁷ All processions

²⁵ Statutes of the Realm Vol.IV, 1 Marie St 2 c 2.

²⁶ Tudor Royal Proclamations Vol.II, p.35.

²⁷ Ibid., p.36.

of the Church were to be in Latin and all holy days and feasts to be as they were under Henry.²⁸

The reintroduction of old heresy laws that had been repealed under Edward began the following year in 1554 with the Act for the renewing of three Statutes made for the punishment of heresies.²⁹ Under this law the 1382 Act of Richard II concerning the arrest and apprehension of erroneous and heretical preachers; the 1401 Act of Henry IV concerning the repression of heresies and punishment of their perpetrators; and finally the 1414 Act of Henry V regarding the suppression of heresy and Lollardy were all revived in their entirety as of 20 January 1555.

If ever a signal was needed that the new Queen fully intended to fight the rampant heresy that had flourished under Edward VI with all available weapons, this was it, and gave her all the necessary legal permission she needed to begin a gradual elimination of those spreading the evil errors. Things advanced even further in 1555. Firstly there was a proclamation Enforcing the Statute against Heresy; Prohibiting seditious and heretical books.³⁰ The King and Queen (after Mary's marriage to Philip of Spain, a highly unpopular move with her subjects) sought to root out all false doctrine and heresy and to resolve all schisms. The books banned were numerous and their authors

²⁸ Ibid., p.37.

²⁹ Statutes of the Realm Vol.II. 5 Ric II st2 c5, 2 Hen VI cl5, 2 Hen V st1 c7.

³⁰ Tudor Royal Proclamations, Vol.II, p.57.

read like a 'who's who' of the Reformation: Luther, Oecolampadius, Zwingi, Calvin, Bugenhagen, John à Lasco, Bullinger, Martin Bucer, Melancton, Peter Martyr, Erasmus, Sarcerius, Hugh Latimer, Barnes, John Bale, John Hooper, Miles Coverdale, Tyndale, Cranmer, Thomas Brecon, John Frith and William Roy.³¹ Edward VI's Book of Common Prayer was also forbidden to be possessed or read. All were to be surrendered in fifteen days to an ordinary, thence to the commissioners or the chancellor.³²

The second piece of legislation for 1555 was Mary's Second Statute of Repeal.³³ This Act made a clean sweep of all Acts passed against Rome since 1528, with the notable exception of the dissolution acts, under the Act the rights of holders of abbey lands were secured and guaranteed. If this was the price the Queen had to pay to the English nobility for the reconciliation with Rome, and for the passage of this and similar acts through Parliament, it was evidently one she was willing to pay. Mary's parliament's were not always so obliging though, from October 1555 they openly criticized the government's religious policies, most notably the persecutions.³⁴ The persecution policy backfired badly on the Queen. In her utter determination

³¹ Ibid., p.58.

³² Ibid., p.59.

³³ Statutes of the Realm Vol.IV, 1 & 2 Phil & Mar c8.

³⁴ Cross, Church and People 1450-1660: The Triumph of the Laity in the English Church, (The Harvester Press, 1976), p.103.

to paint the Protestants as evil and seditious Mary gave to them a prominence that they would otherwise not have had.³⁵ If nothing else the continual trials and very public executions ensured that this issue and the people who died for it remained in everyone's mind. Mary, inadvertently, gave the Protestants a more lasting memorial than they may have been able to achieve by their own unpersecuted efforts.

This had been amply illustrated by the unprecedented situation in which Cranmer, Ridley and Latimer found themselves in March 1554 when a mock trial against them occurred at Oxford. This was designed to publicly discredit the leading figures of the reformation under Edward. Every precaution was taken to ensure the defendants had little or no opportunity to prepare themselves³⁶ (a fact of which Latimer made a point of complaining about at his session) but even so, the government unintentionally acknowledged their extensive theological knowledge by ranging no less than thirty three theologians against them.³⁷ Despite the fact that this event was officially called a debate, few could have been in any doubt that the three, if they did not recant, were in danger of sentence of death for heresy.

³⁵ Ibid., pp.111-12.

³⁶ Loades, Mary Tudor, p.164.

³⁷ Ibid., p.165. Also see Cranmer's Letter to the Council in Work of Thomas Cranmer (ed. G. Duffield, Sutton University Press, 1965), pp.283-4.

The added difficulty for Mary was that these three had all been bishops during their life and had held high office, especially under Edward when Cranmer had been Archbishop of Canterbury and the chief architect of the reforming legislation, and Ridley had been Bishop of London. Under Henry VIII Cranmer had also been Archbishop of Canterbury, Ridley Bishop of Rochester and Latimer Bishop of Worcester. The majority of heretics burned under Henry had been artisans or labourers, very few were of gentle birth and none had been a bishop. To even threaten to execute a former Archbishop of Canterbury for heresy because of beliefs he had expounded in a previous reign, beliefs that had been officially decreed by King and Council, was unheard of. If they refused to recant once the Catholic faith was firmly re-established though, they left the Queen with little option but to take some kind of drastic measure³⁸ - as compromise on religious principles was not in the nature of the pious Queen Mary.

The disputation at Oxford took place intermittently over 14-22 April 1554 and was presided over by Weston, as Procurator.³⁹ The three bishops were lodged in the town jail, Bocardo, for the duration, and while they could be condemned if found guilty, no sentence could be imposed because at that time the necessary laws had not been re-instated. After it was clear that the three bishops had no

³⁸ Ridley, Nicholas Ridley, p.316.

³⁹ Loades, Mary Tudor, p.164.

intention of subscribing to the Articles against them, all three were pronounced heretics, excommunicated and returned to prison. At that time they expected to suffer execution promptly, but the Queen was mindful to always act against them according to the strict letter of the law and took no further action against them until completely satisfied that any judicial proceedings against them would be lawful and complete. Thus they languished in prison, largely undisturbed, for a further sixteen months.⁴⁰ Ridley and Latimer were finally burned in October 1555, and Cranmer followed in March 1556.

The final legal act concerning heresy in Mary's reign occurred in June 1558 when a proclamation was issued on the subject that had irritated Henry VIII on several occasions - illegal literature. This time the proclamation placed possessors of heretical and seditious books under martial law.⁴¹ The importation of such into the Kingdom dishonoured God, and some works alleging that Mary should not be Queen also encouraged disobedience to lawful princes and governors.⁴² Such an offence was high treason, the punishment for which was execution without delay.

Many died later that year on 17 November, the same day as her chief colleague in the persecution, Cardinal Pole. Their efforts to revert England to a thoroughly Catholic

⁴⁰ Loades, Oxford Martyrs p.137.

⁴¹ Tudor Royal Proclamations, Vol.II, p.90.

⁴² Ibid., p.91.

and papal nation failed with their deaths, and the method they had chosen - outright persecution - was a most unpopular aspect of the reign. It engendered both attention to and sympathy for its sufferers, who a mere five years earlier had been believing and practising as instructed by the equally binding laws of the land under Edward VI. After such an occurrence - the orthodoxy of one reign being tried and condemned as the heresy of the next - it was even more difficult to accurately determine exactly what constituted heresy and what was orthodoxy. The distinction had seldom been obvious, even in Henry VIII's time and for much of his reign the legal definitions had been mainly of what was not rather than what actually was heresy. The legal efforts across three reigns to control or eliminate the problem had met with a continually mixed success: they depended ultimately on the urgency with which they were enforced, which in turn depended on the resources available to enforce them, and the will of those in the hierarchy to do so. Both these factors were fluctuating at best and often entirely absent.

CHAPTER SIX

THE FINAL OUTCOME: THE PERSECUTIONS

"For the most miserable man in the world can die but once...."

State Trials p.820

"...here they shall be hated and despised of all men worldly, and brought before kings and rulers, and that all evil should be said by them, for their preaching sake."

Latimer, Remains p.302

"And I likewise...do exhort you to stand to the defence of the truth; for you that shall be left behind had need of comfort too, the world being so dangerous as it is."

James Bainham, from Latimer,
Remains p.223

(From a conversation between Latimer and Bainham on 29 April 1532, the day before Bainham was burned for heresy.)

The ultimate expression of the laws, attitudes, ideals and concepts thus far discussed was found in the practical policy of persecution that was carried out to varying degrees throughout this period. It was a policy that waxed and waned according to the urgency with which it was viewed (a factor that very often depended on the particular religious inclination and zeal of the reigning monarch) and

according to other everyday political considerations such as war, social problems and economics, which all demanded their share of attention and rectification. If the problem of heresy control and eradication occasionally slipped into the background, it never entirely disappeared.

By the late 1520's England was absorbing heretical beliefs from Lutheranism, Dutch sectarianism and German sources, in addition to the well-established and native Lollardy. During the next decade the crime of heresy would be linked more and more to the political issues of the day, a trend that would be reinforced further after the advent of royal supremacy of the Church in 1534. From this time onwards, heresy would be particularly linked to the political and diplomatic fortunes of the day, and subjects would both rise and fall accordingly. This chapter aims to explore this link between heresy and the political climate by outlining certain cases and trials from this period that illustrate the "uses" that the label of heresy could be put to.

In Henry's reign in particular, those uses were many and varied. There was Thomas Bilney, whose execution illustrates certain points about the anti-clericalism of his day. John Frith was executed only after he failed to be as useful in the divorce issue as Henry had hoped. John Lambert's trial and execution was staged to illustrate a change in diplomatic policy. Thomas Cromwell was judicially murdered as a result of a conspiracy within the government, which succeeded because of the failure of the

Lutheran alliance and the Cleves' marriage, which Cromwell had been intimately involved with. Robert Barnes and two of his colleagues were also judicially murdered immediately after Cromwell as part of this conspiracy. Finally, there were the games at Court, which nearly saw Queen Katherine Parr and several of her ladies fall into a similar trap, but which snared a victim anyway in Anne Askew.

Due to the often confused legal definition of heresy, and the many variations in which it could appear, heresy could be a most useful weapon, a damning label, and a cunning trap in which to ensnare enemies for a variety of reasons, many of which had little to do with their opinions on the Real Presence. There is no doubt that the crime of heresy was manipulated in this way during this period.

One whose fate was sealed by indiscreet (but not necessarily heretical) preaching was the notable martyr Thomas Bilney. Bilney's career demonstrated how a young scholar could absorb Lutheran teachings through university without having any desire or deliberate intention of breaking away from the Catholic Church, and still wind up clearly off-side with the religious authorities.¹ Bilney had studied at Cambridge and in 1519 had been ordained by the Bishop of Ely. He never became an explicit Protestant, indeed his 'heresy' was of a vague nature that has left some writers contemplating just how 'heretical' it really was. Bilney remained largely within the tradition of Colet

¹ Cross, Church People 1450-1660, p.54.

and thus attacked superstitions and corruptions within the Church but not the traditional teaching of papal headship or the crucial doctrine of transubstantiation.² Nevertheless some of his opinions were less than orthodox and he angered the higher clergy with his evangelical preaching. He was determined to preach, unlicensed, in his native diocese of Norwich, which aroused controversy when he attacked the worship of images. This came at a time when the clergy were dealing with an apparent revival of Lollardy and the further infiltration of Lutheran ideas into the universities, thus Bilney's outspoken preaching mission became intolerable.

In 1527 Wolsey summoned him twice to London, where he appeared before Tunstal, facing a number of charges. Bilney had been preaching a number of novel opinions,³ including that the souls of Sts. Peter, Paul and the Virgin were not in heaven because the Scriptures and the Holy Fathers did not say so. Bilney did not believe that the Virgin Mary had remained a virgin after Christ's birth.⁴ He believed that men should observe festivals and obey their monarchs as if they were their parents. He upheld the correctness of translating the Creed, the Lord's Prayer and the New Testament into English.⁵ He also maintained that

² Ibid.

³ Ibid., p.55.

⁴ Davis Heresy and Reformation..., p.49.

⁵ Ibid. See also Letters and Papers Vol.5, pp.187-188 (Items 372/3 and 373).

papal pardons were derogatory to Christ's full and perfect atonement, and that Christians should not resort to legal restitution, as God was the author of all punishment. Bilney also possessed the Wycliffe hatred of idolatry so therefore opposed the 'worship' of saints.

On 3rd December Tunstal exhorted him to return to the Church, and exhibited five letters Bilney had written to him during the proceedings.⁶ He insisted he had been slandered by men who had preached against pilgrimages, fasts and the offering of candles. Bilney claimed he had not preached against the saints themselves, but merely against the abuse of them. On December 7th he finally abjured seven articles, including that men should not worship or pray to saints, nor go on pilgrimages, nor set lights before images, and that miracles that were daily wrought were the devil's work and only suffered by God. Although Bilney expressed doubts regarding the papacy he never openly repudiated the See of Rome, nor did he doubt the traditional doctrine of a Real Presence in the Eucharist.⁷ His converts included such notables as Latimer, Barnes, John Lambert and Thomas Arthur, who was also tried for heresy with Bilney in 1527.

Bilney's particular brand of heresy was, like that of many, a mixture of unorthodox ideas. His objection to the honouring of saints and images as idolatry clearly reveals

⁶ See Foxe, Acts and Monuments Vol.4, pp.633-40.

⁷ Ibid., pp.631-2.

Wycliffe or Lollardy sympathies, while at the same time he was also evangelical. The English evangelism as practised by the likes of Bilney included placing the authority of scripture above that of the Church, and actively engaging in preaching the gospel, sermons being deemed more important than the performance of ceremonies.⁸ A further link with Lollardy was provided by the belief that all faith should be put in God rather than the saints, if a mediator was required, then Christ was sufficient. There was thus no need to pray to saints at all.⁹ In addition Bilney was also labelled a Lutheran, a common allegation against anyone who upheld any unorthodox beliefs, regardless of whether they fell within the bounds of Lutheranism or not. It was a convenient label, an added insult, rather than an accurate definition.¹⁰

Bilney's trial of 1527 was not without its share of controversy. Bilney himself requested that it be stopped because he could not clearly remember what he had preached,¹¹ and he also called for accurate witnesses to his teaching. Others claimed he had been falsely accused and merely silenced for daring to attack clerical abuse.¹²

⁸ Davis, "The Trials of Thomas Bilney and the English Reformation" Historical Journal Vol.24, 1981 (eds. C. Andrew and V. Gatrell, Cambridge University Press), p.788.

⁹ Ibid., p.789.

¹⁰ Ibid., p.788.

¹¹ Ibid., p.780.

¹² Ibid., p.789.

Whatever the exact truth of the matter, Bilney eventually abjured and spent a year in prison. He then returned to Cambridge and became increasingly depressed for having betrayed his deepest convictions, so much so that his friends began to fear for his safety. Ultimately in 1531 Bilney decided to follow Christ's example of "going up to Jerusalem", an indication that he had decided to be true to his faith regardless of the consequences and his following actions suggest that from this point he was actively courting martyrdom. Bilney set out on a preaching tour of Norfolk and Suffolk, distributing Tyndale's New Testament along the way, actions that were unlikely to evade the authorities' notice or wrath for very long. Sure enough, the Bishop of Norwich soon ordered his arrest, and given Bilney's previous conviction as a heretic, the law allowed no alternative given his relapse but for him to be burned, which was duly carried out in August 1531 at Norwich.

Heretics were not always treated so harshly, especially if their influence and knowledge could be helpful to certain political causes. In the early 1530's when the King was urgently seeking a resolution to his matrimonial woes two heretics in particular gained fleeting royal favour. Robert Barnes had provided support for the fledgling royal supremacy in his 1531 Supplication. In this work Barnes had presented the Lutheran view of the true universal or Catholic church being not the visible institution but an invisible church of the elect known only

to God.¹³ Therefore, as the true Church was invisible there was nothing to stop the King becoming the head of the visible and inferior institution in his own country.¹⁴ Such flattery seldom went unrewarded and in December 1531 Barnes arrived in England under the King's safe conduct for the purpose of determining whether an accommodation could be reached between England and the German Lutherans regarding the divorce.¹⁵

The same year also saw the King attempting to gain support for the royal divorce from another prominent heretic - John Frith, a close associate of Tyndale who had secretly returned to England. Originally arrested at Reading where he had been mistaken for a vagabond¹⁶, Frith was brought before Archbishop Warham, but refused to answer any questions until the lay members of the Privy Council were in attendance, after which he declared his heresy and appealed to the King.¹⁷ During his appeal the King picked up a scroll listing Frith's heresies, including the claim that the Pope was not the Church's sovereign chief. This, Henry declared, was not heresy, but truth, and Frith was then sent back to his residence to retract some doctrines "...which the King (rather than the church) does not

¹³ Supplication. Printed in More, The Confutation of Tyndale's Answer, Appendix, p.1042.

¹⁴ Ibid., p.1044.

¹⁵ Letters and Papers Vol.5, p.273 (Item 593).

¹⁶ Foxe, Acts and Monuments Vol.5, p.4.

¹⁷ Marius, Thomas More, p.390.

consider as thoroughly orthodox...."¹⁸ These events demonstrated that the King was willing to quash any conviction and to consort with known heretics in order to win support for the royal divorce, support that the King was by now desperate to obtain.

Such activities by the King were to the eternal annoyance and humiliation of Thomas More, who was occasionally required to be guide and guardian for the heretic of the month while they were under the King's safe conduct. More was the last fervent advocate for the eradication of heresy by fire, in all circumstances. He did all he could to get the Church and government to fight it as vigorously as he, and he pursued heretics with all the power of his office. After his resignation the general campaign expired, Lutherans rejoiced and forty suspected heretics were released from prison.¹⁹ The occasional notorious heretic was burned but the victims were usually either men whom Henry had tried to use and found wanting, or those who were offensive to his own taste in doctrines. A pliable Church under Henry's supreme headship was made to prosecute and the government in turn piously performed its duty in executing the condemned. Heretics could, and did on occasions, find a safe haven in England, however, if they favoured the King's causes, performed outward

¹⁸ Ibid., p.391.

¹⁹ Ibid., p.418.

submission to the laws and authorities and acted with discretion in religious matters.²⁰

John Frith fell foul of the persecution at this time, and perished in July 1533. Educated at Cambridge, Frith had been tutored by Stephen Gardiner, and was one of the select group of future notables that had gathered at the White Horse in Cambridge.²¹ Frith's beliefs were hardly friendly towards the Church and went considerably beyond the rather vague heresy of Bilney's. In 1531 his A Disputation of Purgatory appeared. Frith found purgatory as taught by the Church to be non-existent in Scripture, which was as usual the ultimate authority.²² For Frith the Church's doctrine negated man's universal inability to make satisfaction to God. Purgatives of sin were of only two kinds; the Word of God received through faith and the spiritual Cross of Christ borne through adversity. Purgatory as defined by the Church was an invention that demanded revenge instead of offering redemption, and caused any redemption to rely on man's repentance rather than God's free gift of grace. According to Scripture Christ was the mediator and advocate for sinners before God, but purgatory in effect took Christ's place and turned God's scriptural promises into lies. Scripture also made Christ the only way to heaven for sinners, but purgatory offered

²⁰ Ibid., p.448.

²¹ Clebsch, England's Earliest Protestants..., p.79.

²² Ibid., p.91.

another, back-door route.²³ In short purgatory deluded the sinner into thinking he could make satisfaction himself to God without Christ.

Frith was also against the doctrine of transubstantiation and considered many other rituals and ceremonies to be adiaphora;²⁴ although it was useless to have any sacrament without faith, many were unnecessary for belief or salvation. Regarding transubstantiation, Frith argued that the bread remained in the host, citing both nature and the Church doctors as authority. A body could only be in one place at one time, and if Christ was in heaven, then he could not physically also be present anywhere else.²⁵ Frith allowed due reverence to be paid to the host for what it signified, and it was to be honoured with a regard equal to that of Scripture. But to worship the host as demanded by prelates, or to worship the bread and wine for themselves or for what they were supposed to become, was idolatry.²⁶

At his trial, at which he was charged with denying the orthodox dogmas of purgatory and transubstantiation Frith denied that the Church had any spiritual authority to bind his soul to eternal perdition, and he stood before God free to believe and disbelieve those specific dogmas.

²³ Ibid., p.92.

²⁴ Ibid., p.122. See also Foxe, Acts and Monuments Vol.4, pp.6-8.

²⁵ Ibid., p.123.

²⁶ Ibid.

Frith's beliefs attacked the very heart of English Catholicism. He portrayed sacramental grace as issuing from God's favour to the believer's faith rather than from an empowered priesthood to the sacrament. This thereby undermined the entire religious system which had given the Roman Church such power over Europe.²⁷ Without the sacrament of baptism the ideal of the social unity of Christendom was destroyed; without the belief in the Church as God's elect the weapon of excommunication lost its power to enforce social, religious and political conformity. Without the power to perform the magic of transubstantiation the Church thereby forfeited the power of interdict and banning which kept the temporal realm firmly subordinate to the spiritual. Both the mass and purgatory were the key points of Christian power and prestige. A wholesale attack on these, such as Frith launched, endangered the entire structure.²⁸

During the 1530's the overall tendency was to deal with heresy quietly or tolerate the milder forms, rather than to deliberately and publicly repress it. The major single persecutor at the beginning of the decade - Thomas More - lost his zeal for the task as his own problems increased, and as his efforts were thwarted both by the lack of resources and by the efforts of Henry who, desperate for support for a divorce from Catherine of

²⁷ Ibid., p.128.

²⁸ Ibid.

Aragon, was prepared to listen to and associate with heretics if they supported him, as long as their other actions were carried out with a reasonable degree of discretion. When More was executed in 1534 there was no successor to his role as chief heretic-hunter. As the general religious climate of England chopped and changed during the years of ecclesiastical reform, it was often quite difficult to distinguish minor heresies from reformed orthodoxy. Thus an absence of rigorous repression of erroneous beliefs was the only course of action during these years of flux.

The fall and execution of Thomas More ended the persecuting zeal of the previous few years, and although trials and executions for heresy continued to occur, offenders were not to be so avidly hunted out and exhibited for some years. Complaints to the Commons regarding the treatment of supposed heretics, unfair treatment of them at trials, the anonymity of witnesses and the overall possibility of procedures against heretics becoming biased and manipulated made ecclesiastical bodies rather hesitant to advance on a full-scale rooting out of heretics, despite the fact that the problem was widespread and very worrying. The lack of specific legal definition regarding heresy and the lack of an effective persecuting personality to replace More also contributed greatly to the period of confusion during the mid 1530's. The persecution system became highly sensitive to intense scrutiny of its practices and ethics. Importation and distribution of heretical printed

matter was highly organized and continually stayed ahead of governmental attempts to stem or abolish the steady flow of illegal literature. Although the 1538 Act of Six Articles opened the door for a renewed persecution, which to a limited extent occurred, the act was never enforced to the extent that it might have been. Rather the latter years of Henry's reign were characterized by a few high-profile falls and executions, and the occasional very near miss for a favoured few. These few cases illustrate more clearly than even those More dealt with the extent to which heresy could be subtly linked with the current political climate to illustrate policies, remove those who had served their purpose, and also to attempt to remove high ranking people whom some perceived as obstacles, or conflicting with certain interests.

The story of John Lambert in 1538 provides a clear example of a heresy trial being staged to broadcast a change in foreign policy, in this case away from an attempted alliance with the Lutheran princes and towards renewed ties with the Catholic empire. Lambert was a former fellow of Queen's College, Cambridge, a convert of Bilney and a close associate of both Tyndale and Frith. Earlier he had been ordered to return to England from Antwerp by More to face Warham on no less than forty-five heresy charges, to which he composed able and learned answers.²⁹ He was kept in protective custody (protected

²⁹ Foxe, Acts and Monuments Vol.5, pp.181-3.

from More perhaps?) at Warham's house, and was released on Warham's death. In 1536 the Duke of Norfolk and other aristocratic traditionalists complained about Lambert's attacks on the worship of saints. He appeared before Cranmer, Shaxton and Latimer, who all agreed with him but could not afford to risk a confrontation with his influential accusers - a most embarrassing situation. Lambert was offered his freedom on the condition that he state that prayers to saints were unnecessary, but not sinful, a condition which he rejected. He was remitted to Audley, the Lord Chancellor, and imprisoned for a time.³⁰

By the autumn of 1538 Lambert was free again, but becoming more conspicuous. He attended a sermon on the eucharist by Lutheran sympathiser Dr John Taylor who, after a disputation with Lambert, advised him to write his opinions down. After receiving them he consulted with Robert Barnes who advised Taylor to forward them to the Archbishop (Cranmer). By this time Henry was utterly disappointed with Lutheran princes and was seeking to renew his diplomatic friendships with the great Catholic powers. Although aware of Henry's eagerness to impress Europe with a viable display of orthodoxy, Cranmer for some reason advised Lambert to appeal to the King in person³¹, although Cranmer can have had little doubt that he would not be well received. Lambert's appeal to the King was an utter

³⁰ Dickens, English Reformation, p.171.

³¹ Ibid.

failure. The trial was staged for the benefit of Europe, the King was in a brutal mood, and although Cranmer tried to reason with 'brother Lambert' the audience was violently hostile towards him. Eventually Lambert submitted, exhausted, to the King's mercy and Cromwell read the sentence of execution.³² Doubtless the likes of Cranmer and Cromwell felt more sympathy for Lambert than they did for many others, but their positions were somewhat insecure and uncomfortable, and neither would have had any intention of risking that for the sake of a heretic who seemed set on looking for trouble. Cromwell especially, would soon discover just how vulnerable his position was, and how little one had to search for trouble in order to encounter it.

Within two years Cromwell himself was facing a similarly dangerous and irreversible situation. His fall was sudden: on Saturday 10 June 1540 he was arrested at the Council table where he had been working on royal business as usual.³³ The Dukes of Norfolk and Southampton stripped him of his decorations and led him to a waiting boat, and thence to the Tower. Although Cromwell's position had been shaky for much of May and June, he had still been firmly in control in April,³⁴ and on the 18th of

³² Letters and Papers Vol.13, p.355 (Item 849). Lambert was duly executed 22 November. See Ibid, p.374 (Item 899).

³³ Letters and Papers Vol.15, p.804 (Item 377).

³⁴ Scarisbrick, Henry VIII, p.490.

that month had been given a peerage and made Lord Great Chancellor of the Household,³⁵ not exactly what one would expect of a monarch if he intended to have the man executed. But while Cromwell may have held the King's goodwill until very late in the piece, he had influential enemies elsewhere. Gardiner had lost out to him in 1534 over competition for power and conservatives like Stokesley and Tunstal hated him for his part in the dissolution of the monasteries, and saw both him and Cranmer of encouraging Henry towards doctrinal radicalism; and aristocrats like Norfolk and Suffolk resented the influence this lowly-born upstart had managed to acquire.³⁶ There was certainly a conspiracy among Norfolk and his friends to oust Cromwell from power, a conspiracy in which Catherine Howard, Norfolk's niece, was a very useful pawn in the aftermath of the Cleves debacle. The King may well have been informed that Cromwell was solely responsible for the disastrous Cleves marriage and the failure of negotiations with Lutheran princes.³⁷

Cromwell was charged principally with treason and heresy: with having set free guilty or suspected traitors, for selling export licenses, granting passports and drawing up commissions without royal knowledge and with usurping

³⁵ He was also created the Earl of Essex. See Letters and Papers Vol.15, pp.242-3 (Item 541).

³⁶ State Trials, p.434.

³⁷ Letters and Papers Vol.15, p.363 (Items 766 and 767). See also State Papers Vol.8, p.412.

royal power.³⁸ The most damaging charge, however, was that of heresy. Cromwell was accused of spreading heretical literature, licensing heretics to preach, releasing them from prison and refusing to listen to their accusers. He was reported to have said in March 1539 that the well-known Lutheran Robert Barnes and his ilk had taught the truth and even if the King refused to realize this, Cromwell had and would fight the King if necessary. Cromwell's supposed heresy was not as a mere Lutheran, however, but as a sacramentary, an extreme religious radical. Cromwell wrote a plaintive letter to Henry protesting his innocence and pleading for mercy; he maintained he was neither a traitor nor a sacramentary, but a loyal subject and a faithful Christian man.³⁹ He was also kept alive long enough to provide Henry with the written testimony needed for the King to obtain a divorce from Anne of Cleves.

This was the only opportunity Cromwell had of defending himself, for he was tried and condemned unheard by an Act of Attainder, which was passed by both Houses by 29 June 1540. The Act accused him of holding extreme beliefs, including that it was lawful for every Christian to be a minister of the sacrament and of causing books to be translated into English expressly against the sacrament of the altar.⁴⁰ Cromwell certainly held Protestant

³⁸ Letters and Papers Vol.15, p.215 (Item 498/60).

³⁹ Merriman, Life and Letters of Thomas Cromwell Vol.II, (Oxford University Press, 1968), p.264.

⁴⁰ See Letters and Papers Vol.15, p.216.

sympathies, but there was no evidence that he accepted any Lutheran ideas that may have put him at odds with his monarch. He had never advocated communion in both kinds, or abolishing the mass or clerical celibacy. Cromwell was charged with being part of the sacramentary sect detested equally by both Protestants and Catholics for their preaching of anarchy, and which Henry was violently opposed to.

The Act of Attainder by which Cromwell was condemned was very largely comprised of utter lies and nonsense, thus the extreme reluctance to place Cromwell on public trial, as there was no way such groundless accusations would have been able to stand up to even the scantiest scrutiny. Cromwell was duly executed on 28th July 1430, and at his speech at the scaffold he insisted that he died in the Catholic faith of the Holy Church, not doubting any article of faith nor sacrament of the Church.⁴¹ The only specific example of alleged heresy was Cromwell's assertion of the priesthood of all believers, a view that did not greatly offend Henry's own opinion.⁴² Also while Cromwell may have abused his power and privilege, this amounted to neither treason nor heresy, and his refusal to proceed against those wrongly accused of heresy or treason did not mean that he deliberately protected them. The fact that Henry was tied by international agreements he no longer wanted,

⁴¹ Merriman, Life and Letters of Thomas Cromwell Vol.II, p.433.

⁴² Elton, Reform and Reformation, p.293.

and impatient with Cromwell's reluctance to extricate him from the Cleves marriage⁴³ was also likely to influence him to view Norfolk's accusations against Cromwell more favourably, especially with the Duke's lovely niece as added incentive.

Two days after Cromwell's execution, on 30 July 1540, three heretics were burned at Smithfield for heresy. Robert Barnes, William Jerome and Thomas Garret had been condemned without trial and without cause in law, their executions amounting to judicial murder and were strongly linked with the conspiracy that brought down Cromwell. Most probably they died to justify the charge that the Lord Privy Seal had protected heretics, thereby in turn justifying Cromwell's execution.⁴⁴

Barnes in particular had been in trouble for heresy some years earlier and his eventual execution for the crime was perhaps not surprising. His trial for heresy in February 1526 had stemmed from a sermon on Christmas Eve 1525 that had attacked the ecclesiastical evils and abuses of the day.⁴⁵ He contended that Christians were no more bound to serve God on Sunday than any other day; that nobody dared to preach the gospel lest they be had up for heresy and that executions of heretics made them into

⁴³ Ibid., p.294.

⁴⁴ Ibid., p.293.

⁴⁵ Clebsch, England's Earliest Protestants..., p.44.

martyrs.⁴⁶ He rebuked the sale of pardons as being fraudulent and declared absolution to be unwarranted and pretentious. Although none of the above was strictly Lutheran, it would have easily been said by a Lollard, and even so was not the type of sermon to appeal to high-ranking ecclesiastics. He appeared before Wolsey on 8 February 1526 and after preparing his defence with the help of Miles Coverdale was tried on 10th February. On the advice of Gardiner he chose to abjure rather than burn, and he performed the standard penance during Fisher's sermon at St. Pauls the following day.⁴⁷ In August 1526 he was placed in the care of the Augustinian Friars in London as a house prisoner, where he continued to sell Tyndale's New Testament. Transferred to the Order's Northampton House, Barnes learned that he was to burn, whereupon he wrote a letter to Wolsey that he intended to drown himself, and after faking his suicide fled to London, and there to Antwerp at the end of 1528, after which he became a Lutheran.

Barnes understood the true Church in terms of the word of God. That Church was incapable of error, whereas the false Church of the Popes as understood in terms of human institutes and hierarchies was all too fallible. Whereas Luther defined the Church regarding words and sacraments, Barnes defined it as the earlier Lollard's had, by the word

⁴⁶ Ibid., p.45.

⁴⁷ Ibid., p.47.

of God, i.e. Scriptures.⁴⁸ If the character of the Church was as a company of believers, then the layman had a right to receive the chalice; if the Church was dependent on the word of God then it was necessary to make the Bible available in the vernacular. He damned the use of images and invocation to saints as idolatry in reality if not in name, as regard that was due only to Christ was given to others.⁴⁹ These points were outlined in his 1531 Supplication, the 1534 version of which also carried a plea for the right of priests lacking the gift of chastity to marry. From the 1530's Barnes also upheld the Lutheran belief of justification by faith alone, and alleged the papists were anti-christ's for paying the same honour of redemption to human works instead of to Christ.⁵⁰ In 1534 he denied all instrumentality of works in the justification of sinners. Works were a necessary fruit of that justification before God, and an outward declaration of such to the world. Only faith received God's promise, but good works had their reward when they sprang from faith.⁵¹

Thus Barnes was a Lutheran, quite simply, but he was also of considerable use to the King, having aided him in ambassadorial services, attempted to help during Henry's troubled marriage to Catherine of Aragon, and personally

⁴⁸ Ibid., p.70.

⁴⁹ Ibid., p.72. See also Barnes' Supplication in Appendix in More, The Confutation of Tyndale's Answer.

⁵⁰ Ibid., p.65.

⁵¹ Ibid., p.66.

extirpated Sacramentaries and Anabaptists. His downfall was partly brought about by his own rashness however. He had provoked Gardiner in Lent 1540 by making a personal attack on him during a sermon at Paul's Cross.⁵² All three were brought before the King, where they recanted wild statements about the worthlessness of good works, and later proved their orthodoxy in sermons. Yet Gardiner still had them imprisoned in the Tower, perhaps simply as part of the conspiracy against Cromwell. Barnes had been a close associate of the Lord Privy Seal and Jerome was the vicar of Stepney where Cromwell lived, and it may well have been considered worthwhile to hold them 'in reserve' as proof of the dangerous network of heretical conspirators that Cromwell was supposed to associate with. As with Cromwell the three were not brought to trial but were dispatched by Act of Attainder,⁵³ thereby ensuring that the accuracy of the charges could not be debated. The Act merely stated that they were guilty of the worst heresies, the number of which were too many to list or expand upon.

At the stake Barnes protested his innocence, claiming he had never preached sedition or disobedience, nor had he called the Virgin a 'saffron bag' nor was he an Anabaptist. He denied all the accusations against him of heresy and though he was condemned to die, he stated he did not know what for, and on questioning those around him as to the

⁵² Letters of Stephen Gardiner (ed. J. Muller, Greenwood Press, 1970), pp.169-70.

⁵³ Letters and Papers Vol.15, p.215 (Item 498/58).

reasons, was given no answer.⁵⁴ Barnes believed that Gardiner and the other Council members had acted against him out of malice or ignorance - otherwise he could find no reason for the events. Jerome and Garret were equally mystified. They recited articles of Christian faith so that people would see they had not erred in their faith and were therefore being unjustifiably condemned. They denied nothing in either the Old or New Testament as set forth by the King and considered the charges of Anabaptism to have been planted.⁵⁵ In addition Luther wrote a memorial to Barnes after the executions, and considering that Luther considered Anabaptists to be worthy of burning for heresy it is extremely unlikely Barnes would have received such a testimony had he been such.⁵⁶

In the closing years of Henry VIII's reign after he married Katherine Parr in 1543, the Queen, several noble ladies, and the King's physician Sir William Butts all cautiously favoured Protestant opinion.⁵⁷ There was an attempt at the time to implicate the Queen, authoress of several Protestant works, and several of her ladies for heresy, an attempt that ultimately came to nothing. By this time Henry was far more amicably disposed to Protestant theology. He certainly numbered several

⁵⁴ Foxe, Acts and Monuments Vol.5, pp.434-7.

⁵⁵ Ibid., pp.437-8.

⁵⁶ Scarisbrook, Henry VIII, p.496.

⁵⁷ Dickens, English Reformation, p.183.

Protestants in influential positions at court, including the tutoring of the future Edward VI. At the time of the royal marriage in 1543 four humble men at Windsor had been condemned for heresy, but one John Marbeck, who had made extracts from Calvin, managed to get pardoned with the aid of some powerful friends.⁵⁸ After the trial there were accusations against some of the King's gentlemen, but a series of royal pardons ended the matter. Very likely the last thing the King needed in his declining years was a scandal at Court implicating anyone and everyone and resulting in chaos. The King had lost able and loyal men before to such malicious conspiracies, and the fate of Thomas Cromwell would not have been so quickly forgotten.

Henry was on the whole wise to the machinations of the factions at Court, but on occasions even he was out-foxed by the manoeuvres of those seeking to advance their own interests and thwart those of rival groups. The most obvious occasion of this was the downfall of Cromwell, but the fall of Anne Boleyn in 1536 was not dissimilar in that both had been removed to the Tower with no chance to appeal directly to the King. Their only chance had been to plead their innocence in writing, which given Henry's well-known impatience for reading (not to mention the possibility of such letters going astray) such avenues were unlikely to prove successful for the plaintiff.⁵⁹ On the other hand

⁵⁸ Ibid., p.188.

⁵⁹ Ives, Faction in Tudor England, (Historical Association, 1979), p.26.

personal appeals to the King were almost certain to be rewarded with mercy, as Cranmer, Queen Katherine Parr and Latimer discovered when Gardiner and his colleagues sought to have them removed for heresy.

Neither Edward VI nor Mary were subjected to the intricacies of Court faction in the way that Henry had been. Though Court faction was no less prevalent or intense, especially under Edward, the King was too young to be directly involved to the extent his father had been. Aspirants trying to advance their own positions and gain monarchical favour could not manipulate the young King directly, for the day-to-day running of the realm was handled by the Protector and the Council. Faction could, and did continue, culminating in the abortive coup in 1553 to place Lady Jane Grey on the throne, but the central stage of events was not around King Edward to the extent that it had surrounded his father. Mary was also bothered less by faction than her father, firstly because, as Ives put it, her privy chamber was a Catholic ghetto,⁶⁰ and secondly because these personal attendants were comprised of more women than men. Thus while they could advance the aspirations of others, they could not aspire to hold high secular or ecclesiastical office themselves. Unlike his off-spring therefore, Henry could be influenced to act or intervene on behalf of his ministers, something his

⁶⁰ Ibid., p.11.

ministers and courtiers were well aware of,⁶¹ especially in the closing years of his reign.

By the 1540's heterodoxy had long since ceased to be the province of weavers, merchants or individual clerics. It had acquired powerful lay patrons, especially influential women, and was making strong inroads on lay, domestic life - even in the Court. Gardiner and his cohorts thus indulged in heresy hunts in the last years of Henry's reign in order to uncover the patrons and friends behind the individuals. In 1543 Cranmer was nearly brought down, and was saved only by the interaction of Henry,⁶² and the same year also saw Dr John London, a former monastery visitor, unleash a purge on the royal chapel at St. George's Windsor resulting in five members of the King's Privy Chamber and their wives being implicated.⁶³

This tendency culminated in a serious attempt to bring Queen Katherine Parr down for heresy. The Queen was certainly a devout Protestant, she held daily scripture classes with her ladies-in-waiting and heard sermons by her chaplain - all with the approval of Henry. The two often discussed religion, and Katherine encouraged her husband to

⁶¹ Ibid., p.26.

⁶² See Scarisbrick, Henry VIII, p.619. Henry warned Cranmer of the plot against him and informed him that once in prison false witnesses would be brought against him. Henry instructed Cranmer to appeal to him personally, a move that saved him, as it would Latimer in 1546. See also Dickens, The English Reformation, pp.183-84.

⁶³ Scarisbrick, Henry VIII, p.616.

finish the Reformation he had begun by completely purging the Church.⁶⁴ Gardiner wished to get rid of this dangerous woman who dared to impose her views 'unseemingly' on the monarch. He promised Henry he would uncover evidence of her heresy and how dangerous she was, to which Henry consented. A Bill of Articles was drawn up against her, which the King signed, and Henry even revealed the plot against her to Dr Wendy, whom the King swore to silence. The bill was somehow 'lost' by a councillor and brought to the Queen, who upon reading it collapsed. The Queen was advised by doctors sent by the King, including Wendy who broke the secret to her, to submit humbly, whereupon she threw herself on the King's mercy and promised to stay obedient to him in all religious matters. Thus Henry forgave her and the following day when Chancellor Wriothsesley arrived with no less than forty men to arrest her and her ladies, they found the King and Queen strolling in the garden at Whitehall, and received only a strong rebuke from the King for their efforts.⁶⁵

A further aspect of this attempt to discredit the Queen was the charges laid against Anne Askew in 1546. Both she and John Lascelles were burned on 16 July for denying transubstantiation.⁶⁶ The daughter of a Lancashire gentry family, Anne was first informed on in March 1544 by

⁶⁴ Ibid., p.612.

⁶⁵ Ibid., p.618.

⁶⁶ Cross, Church and People 1450-1660, p.79.

a papist spy and initially appeared before the Lord Mayor and the royal council charged with stating that priests did not make the body of Christ. She claimed she had read in Scripture that God made man, but never that man made God. She abjured before Bonner on 20th March, acknowledging that Christ's body was indeed present after consecration.⁶⁷ She was again in trouble before the Council in 1546, claiming that she received the element of bread in remembrance for Christ's death, but that there was no real presence of flesh or blood or bone in it. She also claimed that the host must be merely bread, because if it was left for some weeks it would become mouldy, which surely the body of Christ would never do.⁶⁸ She continued to resist attempts to change her mind, even when pressed by Shaxton, who had earlier recanted, and then threatened with the stake by Gardiner. Anne wrote to Henry explaining her innocence,⁶⁹ and was perceived as being useful for revealing the names of any associates, especially gentlewomen. Eventually she was racked personally by Chancellor Wriothesley and Sir Richard Rich in an effort to force her to implicate the Duchess of Suffolk, the Countess of Sussex and Hertford, Lady Denny, and by association, the Queen.⁷⁰ Askew resisted

⁶⁷ Davis, Heresy and Reformation..., p.96.

⁶⁸ Letters and Papers Vol.21/1, p.588 (Item 1181/3).

⁶⁹ Ibid., p.589 (Item 1181/4).

⁷⁰ Ibid., pp.589-90 (Item 1181/5).

all efforts and was burned unrepentant, claiming 'your mass is the most abominable idol in the world'.⁷¹

This was the last episode of persecution under Henry, a trend that was not to be repeated in the reign of his son Edward VI, though if Cranmer had managed to get hold of more Anabaptists the story could well have been a little different. But the option of enforcing religious uniformity through persecution was not to be employed again until the reign of Queen Mary in 1553, and then it was enforced with a zeal and vigour that had never been witnessed under Henry, not even in the days of Thomas More.

However, in Mary's reign the crime of heresy was used for one single purpose, the complete elimination of the Protestant 'orthodoxy' of Edward's reign, and thereby the restoration of England to full Catholic and papal authority and obedience. It was not to be employed for the myriad uses it had served under Henry VIII - under Mary all prosecutions, investigations and executions served to fulfil this aim, and this aim alone. However, the fact that prominent trials against the likes of Cranmer served as a useful means of revenge for a multitude of sins in the eyes of the Queen and her Cardinal was far from inconvenient. Heresy was not used as a convenient label with which to bring down opponents, however, nor were heretics condemned to illustrate and reinforce a current diplomatic policy. There was only one policy under Mary,

⁷¹ Ibid., p.591.

the full restoration of the Catholic Church in England and all events dealing with heresy illustrated and served this policy, without exception.

Mary was perhaps motivated in her desire to restore absolute papal authority in England by more than her devotion to the Catholic faith. In a letter to the Confessor of the Emperor in October 1553⁷² Cardinal Pole remarked that Mary was only Queen because of the Catholic Church. If she failed to support the Holy See Mary would no longer be the legitimate heir, for the marriage of her mother was not valid except by the dispensation of the Pope. Obedience to Rome was therefore necessary to secure power, and upon it depended her claim to the Crown.⁷³ This is not completely certain. Mary did renounce all her rights to the Crown in 1536⁷⁴ and thereby acknowledged her own illegitimacy, and one of her first acts as Queen was to repeal all Acts of Parliament and sentences passed that had deemed the marriage of her parents invalid.⁷⁵ Late in Henry's reign, however, he had declared that Mary could succeed if Edward died without leaving any heirs, but upon certain conditions, to be outlined in his will.⁷⁶ This therefore raises an interesting point as to the extent to

⁷² Calendar of State Papers, Foreign Services, of the Reign of Mary, 1553-1558, p.20.

⁷³ Ibid., p.21.

⁷⁴ State Papers Vol.I, pp.457-9.

⁷⁵ Statutes of the Realm Vol.IV, 1 Marie st2, cl.

⁷⁶ Statutes of the Realm, Vol.III, 35 Hen VIII cl.

which Mary believed she was the rightful heir, and the lengths she was willing to go to in order to retain the Crown and the support of those consented to her reign.

Another differing factor between the Henrican persecutions and those of the Marian era was that unlike the Lollards, the Protestants had no concept of a clandestine Church operating in defence of the law.⁷⁷ They had a genuine spiritual identity, reinforced by their recent legitimacy under Edward, and thus saw a sense of divine purpose in their sufferings. There was little sign of any official campaign against the Protestants, whose propaganda was far more prevalent, organized and opportunist. For the government's part, it relied heavily on suppression and punishment, under the guidance of Pole, or the method adopted by Bonner of arguing people into submission - a method that was almost entirely a waste of effort.⁷⁸ This was enhanced by Cranmer's notice that Protestants would neither cooperate nor acquiesce to Mary's policies. The Mass was declared to be idolatrous and unacceptable, and Cranmer denied that the Queen's authority should extend to matters of conscience - a cry that Thomas More had voiced twenty years earlier, and with similar results. The first attempt at conformity was to scare Protestants into exile, and only those who refused to be

⁷⁷ Loades, Mary Tudor, p.340.

⁷⁸ Ibid., p.541.

intimidated were to be arrested.⁷⁹ "Bloody Mary" was not so bloodthirsty that she could not allow eight hundred odd escape England between 1553 and 1555, including Oxford's Peter Martyr, Bishop Ponet of Winchester and John Knox. The likes of Cranmer, Latimer and Hooper and Rogers would also have been allowed to leave in all probability.⁸⁰

The dilemma of exile vs martyrdom for the Protestants was far from an easy one; failure to do the former was quite likely to lead to the latter unless one was prepared to compromise conscience and conviction for the sake of breathing. Cranmer, Latimer and Ridley always urged the majority of their followers to escape into exile. Undoubtedly some were called to martyrdom, but there was no sense in an individual risking damnation by seeking a cross he could not carry.⁸¹ It was far better to flee and remain true to the faith rather than stay and renounce it. Flight was also justified by Scriptural precedent and commandment - as always the ultimate authority - whereas recantation and compromise were not.⁸² The whole point was to preserve the true faith and the true Church - where this was done was immaterial as long as it was done. The writings of these three while at Oxford were almost entirely directed

⁷⁹ Ibid., p.154.

⁸⁰ Edwards, Christian England, Vol.2, p.60.

⁸¹ Loades, Oxford Martyrs, p.182.

⁸² Letter to Mrs Williamson 1553 in Works of Archbishop Cranmer Vol.II, pp.281-2. (See also Works of Nicholas Ridley, pp.62-3.)

to enlightening and preserving the faithful in their beliefs, to strengthen the weak and restrain the reckless who might rashly seek martyrdom.⁸³ Having fanatics encourage the authorities to persecute and burn would do no one any good. Martyrdom all concurred, was a calling, not an option one deliberately chose. They therefore insisted that as many as possible escape - which was an option, and thus avoid the label of vainglory for those who truly were called to martyrdom.⁸⁴ After all, suicide and martyrdom were two entirely different things and the endangered Protestant movement could not afford to have them confused. Protestants in exile could also prove useful, as recorders of the sufferings of their colleagues under Mary. The martyrs' steadfastness was clear evidence of God's grace, and the testimony to this by the exiles condemned and justified their own escape.⁸⁵

In 1555, once the legal authority had been reintroduced the persecution began in earnest. It was an open invitation to tough-minded and learned men to justify their actions and testify to their faith. The preliminaries began on 22 January, when Gardiner summoned all preachers in London prisons to his House, where they were offered the Queen's clemency if they recanted and abandoned their previous teaching. All declined and were

⁸³ Ibid.

⁸⁴ "A Piteous Lamentation" from Works of Nicholas Ridley, p.77.

⁸⁵ Loades, Oxford Martyrs, p.264.

returned to prison after being warned of their fate.⁸⁶ Proceedings proper then began on the 28th January with the authority of Pole's legatine Commission. The first days saw the appearance of John Hooper, former Bishop of Gloucester and Worcester; John Rogers, one time chaplain to the Merchant Adventurers of Antwerp; prebendary of St. Pauls under Edward; and John Cardmaker, former friar and prebendary of Wells, who initially submitted, then withdrew his submission and ultimately perished on 30th May. On the 29th January Hooper and Rogers were condemned, along with Rowland Taylor, a doctor of civil and canon law and Rector of Hadley, Suffolk; as well as John Bradford, one-time fellow of Pembroke College, Cambridge, and prebendary of St. Pauls under Ridley. The following day also saw the appearance of Lawrence Saunders, a former scholar of Eton, King's College Cambridge, an ex-Rector at Lichfield and vicar of All Hallows London, as well as Robert Ferrar and Dr. Edward Crome. Crome recanted, but Saunders was condemned along with Ferrar, who perished on 30th March.⁸⁷

Gardiner's intention by striking at the leaders was to break the movement at the top, expose their weaknesses, discredit them and leave the masses confused, leaderless and thus more susceptible to submission. The first martyr was John Rogers on February 4th, who refused the Queen's pardon and died unflinchingly. The policy at the start of

⁸⁶ Ibid., p.140.

⁸⁷ Ibid., p.149.

the persecution was to transport the condemned back to their home diocese for execution, in order to further discourage imitators, a policy that largely backfired, only arousing further sympathy for the condemned. Roger's death quickly became a legend and inspiration to his fellow Protestants, who called him their 'protomartyr'.⁸⁸ On the 8th February Saunders was burned at Coventry and set a trend in constancy and determination, especially in his preaching to those present at his trial, on his journey, and at the stake. The following day Hooper was burned at Gloucester, suffering greatly from a strong wind and damp wood, and Taylor was also burned at Hadley, Suffolk.⁸⁹

The effect of Roger's death in particular was greatly inspirational to Cranmer, Latimer and Ridley in prison. In a farewell letter to Bradford (who was presumed to be next) Ridley said he had gained good comfort from Roger's shining example and stout confession of faith even in the face of death. He was also relieved that the attempts to break the faith by burning 'lesser' figures had failed and that these humbler folk had proved as brave and steadfast at the test as their leaders.⁹⁰

The Marian authorities believed that heresy would wither away without the sustenance and direction and

⁸⁸ Works of Nicholas Ridley (The Parker Society, edited by Rev. H. Christmas), p.380.

⁸⁹ Loades, Oxford Martyrs, p.153.

⁹⁰ Works of Nicholas Ridley, pp.377-8.

encouragement of its leaders.⁹¹ Although it was the martyrdom of its leaders that gained the greatest exposure, the vast majority of sufferers were simpler, humbler folk - husbandmen or cloth traders. There were also educated men who could study and understand the new doctrine, who were considered the more important supporters of Protestantism and who posed the more insidious threat.⁹² Most suspects were also from rural rather than urban areas, where diocesan authorities were often reluctant to persecute widely. The number of condemned also illustrated the particular manner of the judges: Suffolk provided two-thirds of the victims in the diocese (as opposed to Norfolk)⁹³ not because the number of heretics was necessarily any greater, but because of the large number of persecuting J.P.'s in Suffolk.

Even under a reign as unforgiving as Mary's, it was still possible for one's social position to provide protection. As one of Bonner's clergy wrote to him in 1556 "I do see by experience that the sworn inquest for heresies do, most commonly, indict the simple and ignorant and wretched heretics, and do let the arch heretics go; which is one great cause that moveth the wide multitude to murmur, when they see the simple wretches (not knowing what

⁹¹ Houlbrooke, Church Courts and the People..., p.235.

⁹² Ibid., p.236.

⁹³ Ibid., p.237.

heresy is) to burn."⁹⁴ This is clearly illustrated by the example of one Lady Knevet of Wynnandham in Norfolk, who utterly refused to attend Church and continued to use the service of the Second Book of Common Prayer of Edward VI despite threats from her Bishop's ministers. She survived to die peacefully under Elizabeth I.⁹⁵ Although gentlemen did not enjoy quite the same immunity as the ladies not a few managed to survive by moving between counties. Nevertheless the upper classes could afford to change locality when the persecution came too close, just as they could afford to flee the country. Most emigrants were gentlemen, students, learned men and their dependants - not landowners, tradesmen and artisans.⁹⁶

For those suspected of heresy a lack of discrimination regarding the definition of the crime did not help matters. Many petty offenders were merely careless, but Gardiner attempted to bring these within the realm of heresy, for example 'crimes' such as a Yorkshire man calling the censing of the altar "a gay Yole Layke' (sport, or game).⁹⁷ This made the task of the persecutors harder and more complex and placed undue strain on the whole system.

⁹⁴ Cross, Church and People 1450-1660, pp.120-1.

⁹⁵ Foxe, Acts and Monuments Vol.8, p.553.

⁹⁶ Cross, Church and People 1450-1660, p.121.

⁹⁷ Loades, 'The Enforcement of Reaction: 1553-1588, in J.E.H. Vol.16, (ed. C. Dugmore, Thomas Nelson and Sons Ltd, 1965), p.60.

The task of eliminating heresy was huge and multi-faceted, with executions being only one aspect. There was the daily grind against petty iconclasm, against vulgar and irreverent behaviour that detracted from the dignity and authority of the Church.⁹⁸ The suppression of heretical writings and books was the least successful aspect of the campaign, although three proclamations in the first eighteen months - sentencing the convicted to gaol or to be pillared had some, but not much, effect. It was a serious issue however, a 1555 Index of prohibited authors contained twenty-four prohibited reformers in it and on 6 June 1558 the Council proclaimed the death penalty under martial law for possessing heretical or treasonous literature, as well as for importing or printing such in England.⁹⁹ Three commissions were set up between 1556-7 to inquire into this area. These acted on royal authority and were in addition to the normal ecclesiastical diocesan machinery. The number of offenders was very small, only eighteen were examined and imprisoned, and only one man, George Eagles, was actually executed for distributing illegal literature.¹⁰⁰ Offenders were, indeed, often treated with surprising leniency once they were caught.

The activities of Justices of the Peace varied greatly between countries, with no set pattern. Essex J.P.'s were

⁹⁸ Loades, Mary Tudor, p.336.

⁹⁹ Ibid., p.332.

¹⁰⁰ Ibid., p.337.

especially active, with sixty heretics being condemned in the London courts as opposed to thirty from London and one each from Hertfordshire and Middlesex.¹⁰¹ Many J.P.'s had Protestant sympathies¹⁰² and were also preoccupied with their own affairs, the everyday maintenance of law and order, thus relegating the defence of the Church to a lower priority. Many secular-minded gentlemen would have also been reluctant to be instruments of a persecuting clergy. General reluctance on the part of sheriffs and J.P.'s increased during the reign regarding the performance of their more gruesome duties. In June 1553 special letters were sent to gentlemen in Kent by the Council ordering them to assist at executions in Rochester, Dartford and Tonbridge. Gaolers could also be sympathetic with Protestant neighbours in their charge, and those in Colchester, Ipswich and Raleigh were in trouble for allowing them to escape. In July 1556 a Keeper of the King's Bench fled to avoid the consequences of similar actions on his part.¹⁰³ Officials in Lancashire were also unwilling to go to extremes, often allowing heretics to go free or remain in prison. Those arrested were seldom handed over to the ecclesiastical authorities and often dealt with leniently where there was any possibility of doing so. One Geoffrey Hurst was ordered to appear to face

¹⁰¹ English Reformation Revised, p.164.

¹⁰² Loades "Enforcement of Reaction", p.61.

¹⁰³ Ibid.

charges in 1558 after Tyndale's New Testament was found in his house. While languishing in a Lancaster jail between proceedings, Mary died, whereupon no further action was taken.¹⁰⁴ Ample time and encouragement was usually allowed for a recantation and officials often tried to restore matters without exercising the full weight of the law. (Needless to say, officials elsewhere could be far more zealously inclined.)

The diocese of Winchester escaped almost untouched by the persecution despite the zeal of its bishop.¹⁰⁵ No commissioners were appointed by the Crown and Gardiner tried heretics from other dioceses, perhaps out of a policy to concentrate on areas where severely affected, although Winchester had its share. Most reported misdemeanours were very minor: fast-breaking, failure or refusal to follow processions or to offer candles at Candlemas, or to receive Holy Bread or for working on Sundays and fast days.¹⁰⁶ In general heresy drives were inconsistent between places and times, and depended on individual bishops, general political conditions and the degree of lay support for their intensity and direction. A few suspects demonstrated 'Protestant' views on the eucharist, that Christ's presence was spiritual or that it depended on the faith of the recipient. Many more said that the ceremony was merely

¹⁰⁴ Haigh, Reformation and Resistance, p.187.

¹⁰⁵ Houlbrooke, Church Courts and the People, p.237.

¹⁰⁶ Ibid., p.238.

commemorative and that the elements stayed as bread and wine. The suspects were for the most part poorly educated and though bold enough to abstain from ceremonies, were reluctant to be further drawn into statements of belief that may go against them. The persecution, overall, was designed to enforce basic Catholic observances, especially participation in the Mass,¹⁰⁷ rather than a thorough, systematic attempt to root out heretical thoughts and belief patterns. The aim of the interrogations was to determine if the suspect assented to certain basic Catholic tenets, no attempt was made to investigate the structure of individual thoughts.¹⁰⁸ The most important tenets were those concerning official belief regarding the Mass, also belief in ceremonies and auricular confession. The invocation of saints and prayers for the dead were seldom touched upon. It was thus difficult to determine if offenders were Lutheran, Lollard, or extremist¹⁰⁹ - though perhaps to the Marian regime one heretic was as bad as another, without the need for minor theological nit-picking, an attitude that was unlikely to have thrilled the likes of Cranmer.

Events such as the Wyatt Rebellion of 1554, the prevailing hostility to the Spanish marriage, the departure of exiles and local sedition all mixed together to convince many that heresy and sedition were initially the same.

¹⁰⁷ Ibid., p.235.

¹⁰⁸ Ibid., p.234.

¹⁰⁹ Ibid.

Despite all the varying shades of heresy, the Queen and clergy tended to view them all as the same,¹¹⁰ and certain trials also developed overtones of a state witch-hunt on various individuals, especially the condemnation of Cranmer as retribution for the death of John Fisher,¹¹¹ who had been executed in 1534 for the same crime as Thomas More.

Ridley and Latimer would fare no better than Cranmer, although their executions had been far less complicated given that they were merely former bishops and not primates. It was not the first time Latimer had been in trouble for heresy. On 11th March 1532 he had abjured fifteen articles before the Convocation of Canterbury touching matters such as purgatory, pilgrimages, the power of saints to intercede, good works, the sacraments, fast days, clerical marriage, and images.¹¹² He had also narrowly escaped further accusations in 1546 when he was examined by the Council for holding evil doctrines and opinions. On this occasion Latimer had saved himself by appealing directly to the King. It appears that here again the label of heresy had been used to serve the ends of various Court factions, for the Council believed Latimer to have been the target of malice. In a letter to Sir Wm. Petrie, Principal Secretary to the King, they especially singled out Gardiner, the Bishop of Winchester, because of an argument

¹¹⁰ Loades, Mary Tudor, p.160.

¹¹¹ Davis, Heresy and Reformation, p.24.

¹¹² Sermons and Remains of Hugh Latimer, pp.218-9.

between him and Latimer concerning a complaint Gardiner had made to Cromwell about a sermon Latimer had preached to the Convocation.¹¹³ Thus by the time he was charged with heresy under Mary, Latimer had been under suspicion of heresy on two separate occasions, one of which had seen him condemned and forced to abjure. As a relapsed heretic there was no other alternative under the law than execution by burning, something that became a certainty once the old statutes against heresy had been reintroduced.

Ridley had been imprisoned since 13 September 1553 after a fatal sermon at Paul's Cross on 9 July stating that both Mary and Elizabeth were barred from the succession because of their illegitimacy.¹¹⁴ There he remained throughout the Oxford trial of 1534 until his execution with Latimer on 16 October 1555. After the Wyatt's rebellion the Tower was flooded with new prisoners and the authorities placed Ridley, Latimer, Carter and John Bradford in the same cell, where they read the Bible, prayed and discussed theology together. This time was invaluable for providing comfort, inspiration and courage to all of them after the long months of isolation and uncertainty.¹¹⁵ From here they were moved to Oxford in March for the disputation, headed by a royal (not papal)

¹¹³ State Papers Vol.I, pp.848-9.

¹¹⁴ Foxe, Acts and Monuments Vol.VI, pp.389-90.

¹¹⁵ Sermons and Remains of Hugh Latimer, pp.258-9.

commission¹¹⁶ whose sentence was not definitive, but which nonetheless found them guilty.¹¹⁷ The Mass was the crucial issue of all the proceedings. Ridley opposed the Mass because it was in Latin, a language the people could not understand and therefore making it a ceremony they could merely witness and not participate in. It also contravened the commandments of Jesus and St. Paul by not allowing people to drink wine. Latimer and Ridley were of great inspiration to each other, on one occasion Latimer reminded Ridley of how Shaxton, a very able reformer, had recanted in 1546 because he feared death, and cautioned his colleague not to do likewise.

Ridley needed all such reminding for he was no natural martyr.¹¹⁸ Presented with the cruel choice of recantation or death - turn or burn as he put it - and with so many recanting, courage and constancy were in pitiful supply.¹¹⁹ Arguments would do them little good once tied to the stake, and Latimer more than anyone else fortified Ridley with the necessary faith for the hideous ordeal ahead. Both were well aware that to recant would demoralize their followers, whereas death after a life in high office would rally supporters further, and strike a blow against the regime

¹¹⁶ Ridley, Nicholas Ridley, p.128.

¹¹⁷ See Sermons and Remains of Hugh Latimer, p.250, and Works of Nicholas Ridley, p.189.

¹¹⁸ Ridley, Nicholas Ridley, p.376.

¹¹⁹ Ibid., p.327.

that would last for years.¹²⁰ In the final days before the execution De Soto, the Spanish friar, visited Ridley on the same errand that had sent Ridley to Joan Bocher five years earlier, to obtain a conversion under the shadow of the stake, and came away with the same result. Latimer himself refused to speak to De Soto¹²¹ and, besides, neither friend would have allowed the other to go to the fire alone. While Latimer wrote nothing at this time, Ridley poured his soul out in exhortations to friends and followers, denouncing the Roman Church and its followers and asking who had the right to order the Church and to what extent?¹²² The Protestants themselves had placed their faith in the temporal legislature and been utterly betrayed. The degradation ceremony was performed on the 15th October, a trying and upsetting event for all concerned. The following day they were led to their execution, refusing the Queen's pardon, an act that, according to the regulation fire-side sermon delivered by Richard Smith, meant they were committing suicide rather than being martyred. The end was mercifully swift for Latimer, but not for Ridley, who suffered horribly due to a slow fire. The burning was awful, but no more so than most.¹²³

¹²⁰ Ibid., p.376.

¹²¹ See Works of Nicholas Ridley, pp.342-5 and pp.349-52.

¹²² Ibid., pp.286-92.

¹²³ Ibid., pp.293-9.

Initially Cranmer had cooperated with the new monarchy, even lending his authority to undoing his own work by restoring Gardner and Bonner.¹²⁴ He decided his own fate early on however by explicitly stating he had not nor would ever conform to the Queen, denouncing his suffrages Thornden as 'a false flattering and lying monk'¹²⁵ and calling the Mass Satan's device. On 13 September he was summoned to the Council and thence sent to the Tower. Cranmer quietly prepared to leave the world by paying off his debts, farewelling friends and sending his wife and children to Germany. Had he tried to escape himself it is unlikely he would have been stopped, but, like Latimer, he considered that flight was for those with their lives before them.¹²⁶ Mary had him tried for high treason, pertaining to his actions during the 'reign' of Lady Jane Grey, and though he was neither pardoned nor executed he remained a 'dead man before the law'. He was permitted to live however, because his Queen considered his treason to God as infinitely worse than his treason to her.¹²⁷

Mary was not determined to execute Cranmer regardless. Initially, what the Queen really required was a recantation to utterly demoralize the Protestants. Had this been

¹²⁴ Loades, Oxford Martyrs, p.117.

¹²⁵ Foxe, Acts and Monuments Vol.6, p.539. See also Cranmer's Letter to Mrs. Wilkinson in his Miscellaneous Writing and Letters (edited for The Parker Society by Rev. J. Cox), pp.444-5.

¹²⁶ Loades, Oxford Martyrs, p.118.

¹²⁷ Ibid., p.121.

forthcoming in 1554 Cranmer may have been spared, and certainly all events - the trials and stayed executions - were designed to extricate it. By the time Cranmer did recant, Mary's attitude had hardened, and the recantation would have been of little use anyway.¹²⁸ By October 1555 however the Queen had determined that Cranmer must die.¹²⁹ Mary had decided that Cranmer would never recant, so doubted the sincerity of it when it came. If he did recant at the last minute he could still be executed, either claiming that he had already been handed over to the secular authorities and the period of grace had expired, or for the longstanding conviction for treason.¹³⁰ Pole's replies to Cranmer's letters were abusive and cold, hardly designed to encourage a wayward sinner to come home. The Queen refused to read Cranmer's letters to her because she did not wish to ruin her eyesight by reading heretical words.¹³¹ Others had not given up on him. Cranmer's sister, completely loyal to the old faith, tried desperately to obtain his repentance and managed to arrange a transferral to the home of the Dean of Christ Church from

¹²⁸ Ridley, Nicholas Ridley, p.331.

¹²⁹ Ridley, Thomas Cranmer, p.391.

¹³⁰ Loades, Oxford Martyrs, p.222.

¹³¹ Ibid., p.223. For an example of Pole's disposition towards Cranmer see Miscellaneous Writings and Letters, pp.534-41.

December 1555 - January 1556 where he could stroll in the gardens, play bowls and talk and dine with the canons.¹³²

Cranmer's courage began to waver after the executions of Latimer and Ridley; he seemed utterly resolute one minute and about to recant the next. Although he had been obliged to witness the deaths of his friends from the walls of the jail - the spectacle being especially grisly in Ridley's case - in order to weaken him further, he actually appeared more strengthened, although the appearance was deceptive.¹³³ The dilemma was enormous - to recant could sound the death knell for Protestant resistance, yet it may allow him to live. It was his return to Bocardo after his stay at the Dean's house that appeared to break Cranmer's spirit completely. Now utterly isolated without the strengthening notes from Latimer and Ridley, and without the pleasant diversions of normal life - the situation must have been one of utter despair and hopelessness.¹³⁴ Cranmer became utterly dependant on the governor of the prison, Woodson, for company and friendship. Woodson thus used this power to encourage Cranmer to recant, and by the end of January threatened to leave him if he did not yield. What followed was the first of several recantations.¹³⁵ On the 14th February, 1556, having been relaxed to secular

¹³² Ibid., p.224.

¹³³ Ibid., p.221.

¹³⁴ Ibid., p.225.

¹³⁵ For all Cranmer's six recantations see Miscellaneous Writings and Letters, p.563 ff.

authorities and deprived of all ecclesiastical dignities on 4 December previously, Cranmer was formally degraded from the priesthood by Bonner.¹³⁶ No mention was made at this ceremony of Cranmer's possible return to grace, and Cranmer's appeal to the General Council was only reluctantly received.¹³⁷ By now Mary and Pole were pushing the execution ahead, despite more statements from Cranmer that hinted at further, fuller, recantations. On 24th February the writ de heretico comburando was issued¹³⁸ at Oxford and the Spanish friars, sensing Cranmer's total collapse, redoubled their efforts, obtaining a complete recantation two days later. This particular recantation was published, proving highly embarrassing for the Queen, and resulting in publishers Riddall and Copland being summoned before the Council on 13 March and forced to relinquish all copies for destruction.¹³⁹ The friars had told Cranmer he would live if he recanted, but the Queen had other ideas, and the execution was fixed for 21 March, despite the fact that Cranmer's sixth recantation had come only three days previously.¹⁴⁰ Cranmer was not to be outdone though, writing two speeches - one orthodox, the other Protestant - one of which he would read at the ceremony

¹³⁶ Ridley, Thomas Cranmer, p.389.

¹³⁷ Ibid., p.391.

¹³⁸ Loades, Oxford Martyrs, p.229.

¹³⁹ Ridley, Thomas Cranmer, p.396.

¹⁴⁰ Loades, Oxford Martyrs, p.231.

before his execution. Dr. Cole first preached rejoicing in Cranmer's conversion, promising the full rites of the Church for the repose of his soul. The final insult came when the Church made it clear that the burning of a repentant heretic, plus the deaths of Ridley, Latimer, Hooper and Ferrar collectively made up for that of John Fisher, as the execution of the Duke of Northumberland in 1553 had atoned for that of Thomas More, but it would require the death of a cleric to atone for the execution of Fisher. Thus there occurred the previously unheard of act of burning a repentant heretic as an act of vengeance, and officially justified as such. (This was despite the fact that Cranmer had interceded with Henry to spare More and Fisher.)¹⁴¹ Cole then called upon Cranmer to testify to his faith, and the resulting speech - the Protestant version, so shocked onlookers that Cranmer was pulled down from the platform and rushed to the stake, leaving his confessors distraught and mystified.¹⁴²

Apart from the horror of the executions (which were bloody even for their own time), the persecutions failed to fulfil their aim. Gardiner believed that only a few burnings would be necessary to engender enough terror to stop heresy, but he bargained on neither the constancy of the Protestant leaders nor the courage of some that enabled them to face a dreadful death with joy. Once started, it

¹⁴¹ Ridley, Thomas Cranmer, p.406.

¹⁴² Loades, Oxford Martyrs, p.233. Also Foxe, Acts and Monuments Vol.3, p.667.

was also impossible to stop without thereby admitting failure.¹⁴³ The bishops for their part had no choice in the matter and believed they were doing God's work by cleansing the realm and teaching a necessary lesson. The opposite eventuated, and the disapproval put the stamp of failure on Mary's attempt to restore the Church of Rome in England. The steadfastness of the condemned often served merely to strengthen the beliefs of those half-persuaded.¹⁴⁴

Geographically the persecution was extremely uneven, with 85% of burnings occurring in four south-east dioceses, London, Canterbury, Chichester and Norwich. This was compared to one sole execution in the north, three in Wales and five in the South-West.¹⁴⁵ Behind this lay many more who perished in prison, hundreds of trials, a great many defections and recantations, and innumerable people simply staying quiet until this storm blew over. While the Protestant leaders were disturbed by the number of defectors, their opponents had an increasing sense of failure against a tide of new suspects that just kept coming.¹⁴⁶ The Protestants, such as Ridley and Latimer, hailed the martyrdoms of people like Rogers as a victory. They saw themselves being tried and tested by God, and not found wanting, thus reinforcing their purpose further.

¹⁴³ Elton, Reform and Reformation, p.387.

¹⁴⁴ Ibid., p.388.

¹⁴⁵ Loades, Mary Tudor, p.332.

¹⁴⁶ Ibid., p.333.

The preoccupation with punishment diverted all ecclesiastical energy into negative channels. Time was spent less in promoting the Roman faith than in arguing with obstinate Protestants, or in examining the careless, or in trying criminals whose anti-social behaviour such as hooliganism or vandalism had found religious expression because of the prevailing atmosphere.¹⁴⁷ Those that were not passionately Catholic were not necessary Protestant, and those that were Protestant were not simply either deluded or evil. The vast majority of Englishmen belonged to the religion of general indifference.¹⁴⁸

The persecutions were also incomplete. The old Prayer Book services were still used for many Protestant congregations, who also received the ministry of their own pastors, especially in London and the Home countries. Messengers commuted between England and Germany with letters, money and property. Prisoners were comforted and cared for (and occasionally released). Their testimony publicized and their sufferings praised.¹⁴⁹ This strengthened in the Protestants their sense of election and boosted their confidence.

That the persecution was increasingly unpopular there could be no doubt. In January 1556 the Council ordered that the Queen's pardon no longer be offered at the stake

¹⁴⁷ Loades, Oxford Martyrs, p.147.

¹⁴⁸ Ibid., p.148.

¹⁴⁹ Ibid., p.260.

because of the contempt with which it was generally treated.¹⁵⁰ In 1557 a series of letters was sent to sheriffs and bailiffs in the Home Counties demanding why sentences for heresy had not been executed, and in August of that same year a Sheriff in Essex, Sir John Butler was fined £10 for condoning the reprieve of a Colchester woman who should have perished. It became common practice to conduct burnings in the early mornings to avoid large crowds, and in July 1558 Bonner suggested to Pole that all burnings should be carried out swiftly and secretly to avoid disturbances and diminish the need for uncooperative secular assistants.¹⁵¹ The net result was a resounding propaganda victory for the Protestants, who proved their religious credentials. What perhaps sealed it more than any other fact was the courage of the lay heretics from obscurity who refused to save their lives by professing a faith they simply did not believe in. Simple folk in the main, seldom crack-pots or idiots, and not always educated enough to even know how many sacraments were in the Catholic faith, but nonetheless dying with a courage that moved many.¹⁵² In the turmoil of political life at the time, martyrdom may well have been an occupational hazard for the likes of Cranmer, but it was not for these people, a great proportion of whom were in their early twenties or late

¹⁵⁰ Ibid., p.242.

¹⁵¹ Ibid.

¹⁵² Edwards, Christian England, Vol.II, p.74.

teens. Instead of obliterating Protestantism by burning its leading protagonists, the Marian Government provided Protestant laymen with a clear demonstration of a faith for which to die.¹⁵³

¹⁵³ Cross, Church and People 1450-1660, p.115.

FINAL THOUGHTS

Thus ended a most turbulent and confusing period in English history, a period when fundamental religious beliefs and practices came to be queried and altered with profound and ultimately tragic consequences. Sadly in the last chapter I have only been able to fully discuss the "high profile" cases of the period, cases which illustrate the concerns, fears and political machinations of their day, and which highlight less than obvious areas with which heresy could be linked. Many, many cases do not fall into this category. They are the cases of ordinary people for whom heresy was solely a religious offence, and of which the only political overtones were the threat to the realm's peace and security which their offending was deemed to have jeopardized. Of necessity they have had to be largely forgotten in this work, but not for want of their worth, for they paint their own vivid and vital picture of heresy in England at this time.

In this particular work, however, I have attempted to explore the complex problems surrounding heresy during these times, chiefly: what it was, and how to deal with it. As has been clearly illustrated these problems applied from Henry VIII to Mary (and indeed both before and after this entire period) and the solution of one problem was not guaranteed to be permanent, nor would it necessarily

influence or result in the solution of the other. Thus we saw the legal changes affecting heresy and the waxing and waning of the policy of persecution.

If one single factor remained constant, however, it was the total unacceptability of heresy, even when its very identification had been buried amid ecclesiastical reform, as under Edward VI. Heresy never ceased to be seen as a most abominable crime, be it the denial of transubstantiation under Henry VIII, Anabaptism under Edward VI, or anything other than orthodox Catholicism under Mary. The measures implemented by the Tudor monarchs to thwart and abolish heresy had mixed success, and had Mary reigned as long as her sister the religious condition of England may have been very different at her death. But the inherent difficulties of coping with a very worrying threat to the realm were largely unresolved at the end of this period. No single successful method, or group of methods, of dealing with it had been developed or implemented, and with Elizabeth I the "heresy" from Mary's reign stood poised to regain some of the legitimacy and authority it had enjoyed under Edward. If the ultimate aim of all the policies and goals of this period was the establishment of a peaceful, unified, ordered system of worship which held the respect and obedience of the entire realm, as the forewords to countless acts and proclamations alleged, it was to be a difficult and treacherous task. Indeed, it can be a very long way around a corner sometimes.

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